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ABSTRACT

In Colorado, a charter school is a public school operated by a group of parents, teachers, and/or community members as a semi-autonomous school of choice within a school district, operating under a contract between the charter school members and the local board of education. This publication provides information on the operation of charter schools under Colorado law. Following the overview, section 2 describes the elements of a charter school application. Section 3 provides additional information relevant to charter school development: standards-based education; finance; accountability, evaluation, and assessment; food service; transportation; Chapter 1 of the Elementary and Secondary Education Act (ESEA); Chapter 2 of the ESEA; other federal programs; special education; English Language Proficiency Act (ELPA); and a summary of Colorado regulations. The following resources are included in the final section: a copy of the state's Charter Schools Act, a list of organizations and contact persons, a list of Colorado charter schools, and an annotated bibliography on charter schools. (LMI)

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Charter Schools

Information Packet

The Colorado Charter Schools Act of 1993

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TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

What Is a Charter School?

A charter school in Colorado is a public school operated by a group of parents, teachers and/or community members as a semi-autonomous school of choice within a school district, operating under a contract or "charter" between the members of the charter school community and the local board of education.

In a charter school, each student, parent and teacher chooses to be there. The "charter," as defined in the Charter Schools Act (Sections 22-30.5-101 et. seq. C.R.S.), spells out the school goals, standards, education design, governance and operations. The degree of autonomy to be exercised by the charter school on such issues as personnel, curriculum and facilities is negotiated between the charter applicants and the local school district and reflected in the charter. School-centered governance, autonomy, and a clear design for how and what students will learn are the essential characteristics of a charter school.

Under Colorado law, a charter school is not a separate legal entity independent of the school district, but rather is a public school defined uniquely by a charter and partially autonomous while remaining within the school district. The approved charter application and accompanying agreements are the charter which serve as a contract between the charter school and the local board of education.

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This packet was prepared by the Colorado Department of Education Charter Schools Team, team leaders Judy Burnes, Myron Swize and Bill Windler. Jim Hennes was editor. The state Charter Schools Study Committee also reviewed an early draft. Please contact us at CDE with suggestions for future editions.

William T. Randall
Commissioner of Education
State of Colorado

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Colorado Department of Education Mission Statement

"To lead, to serve, and to promote quality education for all."

Our mission is to provide leadership and service to Colorado's education community and, through collaboration with this community, to promote high quality learning environments, high performance standards, and equitable learning opportunities for all Colorado's diverse learners.

I. Overview

1. What are the Purposes for Having Charter Schools in Colorado?

In authorizing charter schools, the General Assembly created an avenue for parents, teachers, and community members "to take responsible risks and create new, innovative, more flexible ways of educating all children within the public school system."

"Different pupils learn differently," notes the act. The act seeks the creation of schools with "high, rigorous standards for pupil performance," with special emphasis on expanded opportunities for low-achieving students. The General Assembly sought "to create an atmosphere in Colorado's public schools where research and development in developing different learning opportunities is actively pursued."

Charter schools are a means of expanding choices in Colorado public schools. The charter process provides an avenue for educators, citizens and parents to direct their innovative efforts. Charter schools offer teachers a chance to be part of collaborative teams, designing and working in autonomous, creative schools under defined philosophical approaches.

2. Can Any Student Enroll in a Charter School?

Yes, enrollment must be open and tuition free to any child who resides within the school district which grants the charter, and may be open to students from other districts. Charter schools are subject to court orders affecting the district and to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. A selection process will be needed when applications exceed the space available. Criteria for student selection may be established as long as they are not discriminatory. A charter school may collect certain fees from students.

3. Who May Apply for a Charter?

Any group of parents, teachers and/or community members may develop a charter application. There must be evidence that an adequate number of parents, teachers, pupils, or any combination thereof, support the formation of the proposed charter school. A minimum size is not defined in the charter school law. The school must be nonsectarian, nonreligious, and non-home-based. Applications may not be submitted to convert an existing private school or non-public home-based educational program into a charter school. Applications are submitted to the local board of education in which the proposed school will be located.

4. How Does a Group Apply for a Charter?

A charter application is submitted to the local school board. The school district may establish procedures and calendars for submitting and considering applications. The application process should be a series of dialogues and negotiations with the district and other interested parties. Before final decisions, the application is first reviewed by the district accountability advisory committee. The board holds community meetings, and then, within 60 days after receiving the application, makes a decision about granting a charter.

Whether the charter is denied or approved, an appeal process to the State Board of Education is provided (Section 22-30.5-108 C.R.S.[1]). The State Board may also, upon its own motion, decide to review any charter decision of a local board of education. Under the act, the State Board has the authority to direct the local board to grant or deny the charter. Timelines for the consideration and appeal process are built into the act.

[1] C.R.S. refers to Colorado Revised Statutes. A copy of the Charter School Act is in Section IV of this information packet.

5. What Goes into a School Design and Charter Application?

At the heart of the charter is a clear statement of mission, goals, philosophy, values and principles which serve to guide the creation and operation of the learning environment and the school community. A charter school must be clear on what it is about.

A charter application is a comprehensive document similar to a small business plan. Once the school's vision is clearly articulated, the application describes the school design and spells out mutual agreements among the charter applicants, the school board and other parties regarding: budget, employment, contracted services, governance, and achievement of pupil performance and content standards. These items are described in more detail in Section II.

6. Who Administers a Charter School?

Each charter school must have a school-based governing body which is responsible for carrying out the charter. The design and composition of the governing body and the way it will operate must be described in the charter application. A charter school remains within the school district and under the general supervision of the local board of education.

7. Are the Number of Charter Schools Limited?

Under the Charter School Act (Section 22-30.5-109 C.R.S.[1]) there shall be no more than 50 charters granted before July 1, 1997. At least 13 of these must be for schools designed to increase educational opportunities of at-risk pupils. An at-risk pupil is one who, because of physical, emotional, socioeconomic, or cultural factors, is less likely to succeed in a conventional educational environment. Priority is to be given to applications designed to increase the educational opportunities of at-risk pupils. Charter schools may begin operating at any time as negotiated in the charter.

8. How Long is a Charter Approved For?

A charter may be granted for up to a five-year period, and may be renewed in five-year increments following a renewal process. There are provisions in the act for revoking a charter for cause. Charters may be amended at any time by consent of both parties.

9. How can a Charter School Obtain Waivers from District Policies and State Laws?

While the legislative intent of the Charter School Act is to give charter schools the flexibility needed to innovate, all waivers from existing district policies and state laws or rules and regulations must be specifically requested in the charter application.

- The local board may waive specific school district policies in the charter.
- The State Board of Education may waive specific state board rules under Section 22-30.5-105(3) C.R.S. when requested jointly by the charter applicant and the local board of education.
- The State Board of Education may waive state statutes, Title 22, in accordance with the provisions of the waiver statute, Section 22-2-117 C.R.S., and state board rules 1-CCR 301-35. A request for waver of state statutes must be made jointly by the charter applicant and the local board of education.
- Neither the local board nor the state has the authority to waive the applicability of federal laws or rules to the charter school.

In addition to the Charter School Act, there are many state and federal statutes and rules that impact any public school. Many of these laws and rules are described briefly in Section III.

10. How is a Charter School Funded?

A charter school is a public school, funded through the school district under the school finance act. Under the Charter School Act, a charter school will receive *at least* 80 percent of the Per Pupil Operating Revenue (PPOR[2]) of the district of residence for each student in membership. Higher rates can be negotiated between the applicant and the local board of education. Factors relevant to this negotiation might include whether the district is providing the site and the nature and extent of services the district is providing to the charter school. Charter schools have the option to purchase needed services from their sponsoring district or from third parties.

It is the intent of the General Assembly that funding and service agreements be neither an incentive nor disincentive to establishing a charter school.

The proportionate share of state and federal resources under categorical programs, such as special education, Chapter 1, etc., shall be directed by the school district to charter schools serving students eligible for such aid. Additional information on federal programs and finance is in Section III. A charter school may charge specific fees, just as any other school can. A charter school may seek gifts and grants.

A charter school does not receive state funds directly. The funds flow through the school district. The plans and processes for fiscal management and accountability must be spelled out in the charter. There are no provisions in the act to provide charter schools with access to capital construction funds, such as school bonds.

11. What About a Site for the Charter School?

The charter applicants must find a site for the school. This could be in an existing school district building, or it could be in rented property or in a cooperating institution such as a college. Finding sites for schools can be difficult, and creative solutions may be needed. The cost of maintenance, cleaning, utilities, insurance, etc. must be reflected in the budget negotiated in the charter agreement. Services provided under contract by the school district shall be provided at cost. A charter school shall not be required to pay rent for space in school district facilities which are deemed available. Local zoning, planning, health and life-safety codes apply to rented or contributed facilities.

[2] The PPOR is determined by the School Finance Act. It is not the same as the average per pupil expenditure in a district. Contact the school district to find out the PPOR for your district.

12. What About Transportation for Students?

If the charter school provides transportation for students, the application must describe the plan. Assuring access to low-income students is a primary consideration for developing a transportation plan.

13. What Could be Grounds for Denying a Charter Application?

The General Assembly intends that the Charter School Act should be interpreted liberally to support the purposes and goals of the act. If the application is considered incomplete, the local board of education will request additional information from the applicant. Once 50 charters are granted statewide, no further charters can be approved under the current law before July 1, 1997.

Charters also can be denied, under Section 22-30.5-108 (4)(a)(I) C.R.S., if the proposed charter school would: (1) violate any federal or state civil rights laws; (2) violate any court order; (3) threaten the health and safety of pupils in the school district; or (4) be inconsistent with the equitable distribution of charter schools among the school districts. A local board of education may "reasonably limit" the number of charter schools in the school district.

14. Will There Be Evaluation and Accountability Requirements?

Yes. The first level of accountability in a charter school is to students and their parents. Unless waived as part of the application, state accountability and reporting requirements also apply to charter schools. There are three elements of required evaluation for each charter school. 1) Information must be provided annually through the school accountability report to the community and school district about student progress toward goals, objectives and standards, and progress on the school improvement plan (Section 22-53-207 C.R.S.). A copy of this report is to be sent to the State Board of Education through the local school board. 2) The Colorado Department of Education in 1996 will ask for information from each district which has approved a charter school as to the degree to which regulation/ policy waivers, if any, were helpful to the school in meetings its goals and objectives (Section 22-30.5-113 C.R.S.). 3) Charter schools must participate, when selected, in the Colorado Student Assessment Program to assist the State Board in its requirement to compare the performance of charter school pupils with similar students in other public schools. In most cases the charter school will have in place the advisory groups, the goals and objectives, and the plans for reporting to satisfy accountability obligations.

15. Where Can I get More Information?

This Charter School Information Packet is available from the Colorado Department of Education (CDE), Charter Schools Team, 201 East Colfax Avenue, Denver, CO 80203, Attention Bill Windler, 303/866-6631.

The local school district is the primary source of information on charter application procedures, relevant district programs, and negotiated issues such as budget, employment and insurance.

The Resource Center at CDE has set up a reference section on charter schools and innovative education available for browsing by any citizen (866-6618). Additional small resource centers with printed information are being developed at several locations around the state.

The Colorado Children's Campaign, 1600 Sherman Street, Suite B300, Denver 80203, offers advocacy, networking opportunities and suggestions for technical assistance to charter applicants (839-1580).

The state organization for alternative schools, Colorado Options in Education, conducts workshops. Options members can share their experiences in operating public alternative schools throughout Colorado (Doug Jenner, Pres., 773-9104 (H)).

Other resources are listed in Section IV.

II. Elements of a Charter Application

The most important aspect of developing a charter application is to clarify the school's vision, educational approach and design:

- What is the school about?
- What does the school aim for all students to know and be able to do?
- How will the school be designed and operate to make sure that all students learn what the school and community consider essential?

This vision should be developed first. It should drive the charter application and the resolution of the negotiated and procedural issues.

The following elements must be in the charter application (Section 22-30.5-106 C.R.S.), not necessarily in this order.

1. **Mission statement.** A mission is a statement of purpose, defining primary goals and primary means for achieving those goals. A charter school mission in Colorado must be consistent with the purposes set forth in the act (sections 22-30.5-102 (2) and (3) C.R.S.).

2. **Goals and objectives.** The application should spell out the goals and objectives for the school.

3. **Evidence of support.** Evidence should be provided, for example such as survey results or petitions, that an adequate number of parents, teachers, pupils, or any combination thereof, support the charter proposal. There is no particular number of supporters or level of support needed to be shown, but support should be related to the size or scope of the proposed school.

4. **Statement of need.** An explanation should be provided of why the proposed charter is needed in the school district or region within the district. Why is this application coming to the district or state board as a charter school application? Keep it positive, and explain how a charter school can provide an appropriate solution to the need.

5. **Educational program and standards.** Describe the educational program, pupil performance standards, and the curriculum and content standards. The standards and curriculum should meet or exceed the content standards which have been (or will be) adopted by the school district under the standards-based education bill, (H.B. 93-1313), part 4 of the Public School Finance Act (Sections 22-53-401 et. seq. C.R.S.). Content standards are specific statements of what a student should know or be able to do relative to a particular academic area or areas. Model state content standards will be developed initially in reading, writing, mathematics, science, history, and geography to guide local district efforts in adopting standards.

6. **Plan for evaluating pupil performance.** Describe how pupil performance will be evaluated, including the types of assessments to be used and timelines. Also describe your proposed plans for using the pupil performance information in improving the school so the content and performance standards are met. The chartering school board will want to receive reports on charter school performance.

7. **Proposed budget.** Show a proposed budget, covering the term of the charter. Show the income projected to cover the planned expenditures. Seek plenty of review of the budget as it is developed, as it reveals the plans and assumptions of the school's structure and operations. Arrangements for contracted services (e.g., school lunch, transportation, or whatever) should be shown in the budget. Include a discussion of how the proposed charter school can be conducted in an economically viable manner, and how the plan also is economically sound or not damaging for the school district. Creating a balanced budget will be one of the most difficult tasks facing a charter school applicant.

8. **Administrative audit.** Describe plans for an annual audit of the school's financial and administrative operations. This typically would be an outside review of operations, and would meet the need to provide financial reporting to the district office for funds expended at the school level, including contracted services.

(continued)

- The administrative audit might include looking at whether various laws, rules or policies affecting the school were being followed.
- The financial audit would serve to assure that expenditures of public funds by the charter school were properly made and accounted for. The school district is required to obtain an independent annual district financial audit, incorporating both state and federal funds, and the state conducts financial audits of pupil counts affecting entitlement to state funds.

9. **Displacement of students and staff.** If the creation of the charter school means pupils or staff will be displaced from their current school, then the application should describe the plans for relocating them in other appropriate schools. This issue will have to be negotiated with district officials.

10. **Governance and operation.** Describe the proposed governance and operation of the charter school, including the nature and extent of parental, educator, community, and, where appropriate, student involvement. There must be some kind of identifiable governing body responsible for carrying out the charter. The manner of governance must be agreed to by the charter school applicant and the local board of education (22-30.5-104 (4) C.R.S.). Generally this will be a board or management team composed of parents and teachers, and perhaps community members and students, selected through a process spelled out in the charter. Additional management and advisory teams can be established, including the required school accountability advisory committee. The governing body is responsible for the day-to-day management of the school, including the school's budget, contracting for services, hiring and dismissing staff (subject to contractual conditions), reporting results, etc. within the limits set by the charter.

11. **Employee relationships.** Describe the relationship or nature of the proposed employment agreements between the charter school and the teachers and other staff. The agreements might address not only salary but also benefits, working conditions and rights. These issues may need to be coordinated or negotiated with the district, particularly to obtain benefits and to protect employees. Under the act, teachers transferring from within the district to a charter school are considered to be on a leave of absence from the district unless otherwise negotiated.

12. **Liability and insurance.** Describe provisions for insurance coverage and other liability understandings between the school and the local board of education. This may require the charter school to buy a general liability policy for its governing body.

13. **Transportation plan.** Describe how students will get to the school and any transportation plans the school has. If the school plans to provide some transportation, then describe how the transportation needs of low-income students will be met. If the charter school is targeted at increasing the opportunities of at-risk pupils, describe how the transportation plan will ensure that these students have access to the school.

14. **Admissions process.** While not specifically required by the act, you should describe the student selection and admissions process including the process to be followed if applications exceed enrollment capacity.

15. **Waivers.** List the school district policies from which waivers are sought. List the state board rules and/or state statutes for which waivers are sought. Give the specific citation, and explain the waiver sought, what will be done instead, and explain how the waiver will help achieve the school's goals (justify the request). The justification should show how the waiver will help the school improve educational achievement or enhance educational opportunity, or other purposes of sections 22-53-203 to 22-53-208 C.R.S. Describe any significant financial impact of the proposed waiver. Under the waiver statute, waivers are limited to two years, renewable upon reapplication.

III. Additional Information Relevant to Charter School Development

Information is provided in this section on laws, rules and programs which affect public schools and which may be useful in developing a charter school application. For additional information, see the resource section or contact appropriate school district staff.

Topic

1. Standards-based education
2. Finance
3. Accountability, evaluation and assessment
4. Food service
5. Transportation
6. Chapter 1 ESEA
7. Chapter 2 ESEA
8. Other federal programs
9. Special education
10. English Language Proficiency Act
11. Summary of regulations

1. Standards-Based Education

a. What is standards-based education?

Sections 22-53-401 et. seq. C.R.S. (HB 93-1313) defines standards-based education as a system of instruction focused on student learning of content standards. This system aligns instruction and assessment with content standards.

b. What is required of districts within HB 93-1313?

By January 1, 1997, each district is required to adopt first priority content standards in the areas of reading, writing, mathematics, science, history, and geography which meet or exceed state model content standards. Districts shall adopt second priority content standards in the areas of art, music, physical education, and civics. Districts are also expected to develop a plan to align curriculum and programs of instruction with the content standards; to develop assessments to measure student progress toward these standards; to administer these assessments at grades 4, 8, and 10; to address different learning styles and needs; and to provide professional educator development in standards-based education.

c. How do the district requirements in HB 93-1313 affect charter schools?

Under the Charter School Act, the school's educational program, pupil performance standards, and curriculum must meet or exceed any content standards adopted by the school district in which the charter school is located (Section 22-30.5-106(1)(e)). The school's program must be designed to enable each pupil to achieve such standards. As district standards are developed over the next few years, the charter school must be able to show how it is meeting or exceeding these standards. Two options exist. The charter school may accept the standards and assessments of the district or develop its own standards and assessments which meet or exceed the district standards.

2. Finance

a. What kinds of funds are available to charter schools?

Public School Finance Act Funding

Under the legislation, a charter school will receive at least 80 percent of the school district's Per Pupil Operating Revenue (PPOR) available under the Public School Finance Act. The amount actually received by each charter school will be determined in negotiations between the school and the district, but the amount may not be less than 80 percent of the district's PPOR (Section 22-30.5-112(2)(c) C.R.S.).

Categorical Program Funding

The law requires that the proportionate share of state and federal resources under categorical programs, such as special education, Chapter 1, etc. be directed to the charter schools serving students eligible for such aid. See topics 6 through 10 in this Section for details on categorical programs.

Gifts, Donations and Grants

The governing body of a charter school is authorized to accept gifts, donations, or grants of any kind and to expend such gifts and grants in accordance with the conditions prescribed by the donor, as long as the conditions do not violate state law or the charter contract with the local board.

Tuition

Tuition may not be charged for students residing in the school district responsible for the charter school. Tuition may be charged for non-resident students under certain conditions prescribed by state law. The school district of residence may be charged for a non-resident charter school student only if the resident district has a written agreement with the charter school district approving this arrangement. Tuition may be charged to parents of non-resident students under provisions specified in state law (Section 22-32-115 C.R.S.). Special statutory provisions regarding tuition apply to services provided to students with disabilities.

Fees

State law permits the imposition of fees under certain conditions. Local boards may impose fees for expendable supplies, activities, textbooks,and summer school. Many districts have policies regarding the types of fees that may be charged for various activities. A description of the types of fees (if any) to be charged and the amount of revenue expected to be generated from them should be negotiated between the district and the charter school and reflected in the charter school's budget. Fees collected from students enrolled at a charter school shall be retained by the charter school under the law.

Legal Liability/Insurance Coverage

Liability coverage and possibly other coverages should be worked out with the school district. Insurance issues such as who will pay for any insurance obtained to cover the governing body and employees of the charter school or for the buildings and grounds of the charter school or for vehicles used to transport charter school students must be addressed in negotiations with the school district and in the charter application. Charter schools are part of a public school district, and school district liability is limited by the Colorado Governmental Immunity Act, Sections 24-10-101 et. seq. C.R.S.

b. What are the fiscal responsibilities of a charter school?

Budget

The charter school agreement must include a budget describing all anticipated revenue and expenditures. Article X, Section 20 of the Colorado Constitution (the Amendment 1 passed in November 1992) limits both the non-federal revenues and the non-federal expenditures of school districts and other governmental organizations. As a public school within the district, the charter school will contribute to the district's revenue and expenditure limitations. Therefore, all anticipated revenues and expenditures must be included in the charter school budget approved by the local board of education.

Financial Management, Reporting and Auditing

School district financial management is governed by a wide variety of state, federal, and other requirements. School districts must budget and manage their finances according to standard definitions and procedures. They are also required to have an annual financial audit by an independent auditor which contains a report of revenues and expenditures in a format prescribed by the State Board of Education. As a public school within the district, the charter school is also governed by these requirements. The charter agreement should specify how charter school finances will be managed to meet these requirements. It must also describe how the administrative audit of the charter school, including any services provided by the school district, will be conducted.

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3. Accountability, Evaluation, and Assessment

a. What is educational accountability in Colorado?

Educational accountability is holding ourselves (students, parents, educators, and community members) responsible for assuring that students meet identified content standards through a continuous cycle of planning, evaluation, and reporting. This has been traditionally accomplished through accountability committees made up of students, teachers, parents, and community members. The accountability committees thoroughly examine multiple sources of information to determine how successfully the schools are operating and how students are achieving academically. They also examine how the expenditure of monies is prioritized in the schools. Measurable goals for improvement are adopted and recommended to the governing body of each school by the accountability committee.

Each school reports its progress in achieving the adopted goals and objectives to the public, parents, district accountability committee, and the board of education in an annual year-end report.

b. Are charter schools required to have accountability committees?

Yes. Charter schools are required to have accountability committees. A charter school may choose to use the traditional state accountability/ accreditation model. However, a charter school may develop its own accountability program tailored to its mission. If a charter school chooses to develop its own model, certain requests for waivers from district and state requirements may need to be included in the charter application. Please refer to the Rules for the Administration of the Accreditation of School Districts, 1 CCR 301-1.

c. What evaluation will be required?

There are three pieces of required evaluation for each charter.
1) Information must be provided annually about student progress toward stated goals and objectives through the school accountability report to the community.
2) The degree to which regulation/ policy waivers were helpful to the school in meeting goals and objectives will be reported in 1996.
3) Charter schools must participate, when selected, in the Colorado Student Assessment Program to assist the State Board in its requirement to compare the performance of charter school pupils with similar students in other public schools.

It should be noted that in most cases the charter school will already have in place the advisory groups, the goals and objectives, and the plans for reporting to satisfy accountability obligations.

3. Accountability, Evaluation, and Assessment, continued

Accountability Report. Under the requirements for accountability for educational achievement, each school must provide an annual written report to its community which includes results of its school improvement plan; student attendance rate; student achievement results separated by race/ethnicity and sex; number and percentage of students meeting adopted student outcome and performance standards; and at the secondary level, the number and percentage of students completing advanced courses; graduation rates; dropout rates; percentage of students taking the ACT and SAT examinations and their average scores; and percentage of graduates entering college, all separated by race/ethnicity and sex as explained in the Rules for the Administration of the Accreditation of School Districts [1 CCR 301-1 Rule 2202-R-3.09(1)]. Charter schools are to submit a copy of this report to the State Board of Education through the local school board.

The school improvement plan required as part of accountability under the accreditation rules includes a profile of such elements as school assessment results of student performance standards; the number and percent attaining and exceeding set performance standards by race/ethnicity and gender, satisfaction measures of students, staff and community members; research on effective educational practices; school demographic trends and community needs; and the performance of exceptional and language minority students. The charter application and updated school plans should be able to serve as the school improvement plan.

Waiver Review. Each school district which has approved a charter school will be asked by CDE in 1996 to review the regulations and policies which were waived in the approved charter to evaluate whether the waivers assisted or impeded the school in meeting their stated goals and objectives.

State Testing. The State Board must compare the performance of charter school pupils with the performance of comparable groups of pupils in other public schools. Participation in the Colorado Student Assessment Program is required of all schools selected for the statewide samples. Every school shall participate in the Colorado Student Assessment Program at least once every three years (beginning January, 1996), to provide corroboration of state and district assessment results (Section 22-53-409(2) C.R.S.).

d. What other evaluation tasks need to be considered?

Federal and state programs, such as Chapter 1 for disadvantaged students or the English Language Proficiency Act, have evaluation requirements that must be completed as part of an obligation for the receipt of funding. For more discussion of federal and state program requirements, see the sections below.

4. Food Service

a. **Must the charter school provide food service for students?**

No. The provision of school food service is at the option of each local school district and charter school.

b. **What options does a charter school have regarding food service?**

Option 1 — Students attending charter schools in Colorado are eligible to participate in the federal Child Nutrition programs (National School Lunch, School Breakfast, and Special Milk) through the district's non-profit food service operations. Donated commodity foods and federal cash reimbursements are available to help support the program, and to provide for meals at free or reduced prices to eligible needy students.

Option 2 — Should a charter school elect not to take advantage of the benefits of the federal Child Nutrition programs, alternate catered food service may be arranged through the district's non-profit food service operation on an a la carte basis, or through an outside vendor.

Option 3 — Do not provide any formal food service. Parents would provide meals for the child(ren) to bring to school.

c. **Are there other issues to consider in deciding whether to provide food service?**

Plans for food services in a charter school must be coordinated through the district's food service department. In this way, a food service delivery system can be designed which will best meet the nutritional needs of the students, while maintaining financial viability and conformance to state and federal regulations.

The type of food service provided can have a profound effect on the charter school's learning goals for its students. Studies demonstrate the important connection between the adequacy of a child's nutrient intake and the ability to learn effectively. The federal Child Nutrition programs are designed with this in mind. Any alternate food service would need to be designed and monitored carefully to insure that the nutritional needs of the students are being met.

The provision of food service involves many federal and state rules and regulations. A professional food service provider would be of great benefit in implementing an effective food service for the charter school.

5. School Transportation

a. **Must the charter school provide transportation services for students?**

No. The provision of school transportation services is at the option of each local school district and charter school.

b. **What must the application for a charter school include regarding transportation of students?**

The application must include plans for pupil transportation, if any is to be provided. If transportation is to be provided, the application should address the needs of low-income pupils and any pupils targeted as being at-risk.

c. **What options does a charter school have regarding school transportation?**

Option 1 — Do not provide any transportation services. Parents would be responsible for arranging transportation for their children to school.

Option 2 — Utilize the district's existing transportation department to provide transportation services for charter school students.

Option 3 — Contract with an outside provider of transportation services.

Other legal issues may be a factor, such as court-ordered busing for desegregation.

Begin your decision-making process with a discussion with the school district administrators and transportation department.

d. **Are there revenue sources to help cover the cost of providing transportation?**

If the district's existing transportation department is utilized, a limited amount of state dollars is provided as reimbursement for operational costs incurred by the district transporting children to and from school. The state allocation does not cover the full cost of school transportation. For this reason, the charter school and the district transportation department must fully consider the budget implications of important variables such as bus route distances, vehicle capacities, and walking distance policies.

Any transportation plans for a charter school must be carefully coordinated with the district's transportation department for optimal, efficient, and safe pupil transportation.

e. **Are there other issues to consider in deciding whether to provide transportation?**

Utmost in the decision-making process should be the safety of the children going to and from school. Transportation professionals in Colorado's school districts are proud of their safety record.

An important issue is achieving a diverse, balanced student body and ensuring that students who want to attend the school are not prevented from attending because of transportation-related difficulties.

The provision of transportation services involves many federal and state rules and regulations, and would involve insurance and other liability implications. A professional transportation provider would be of great benefit in implementing an effective transportation service for the charter school.

In certain cases, transportation requirements may be addressed in a Special Needs student's individual education program (IEP).

6. Chapter 1 ESEA

a. **What is Chapter 1 ESEA?**

Chapter 1 of the Elementary and Secondary Education Act (ESEA) is the largest federal aid to education program. It provides financial assistance through state departments of education to local school districts to help meet the educational needs of children whose achievement is below the level that is appropriate for children of their age.

b. **What services could be funded by Chapter 1 at the charter school?**

Supplemental educational services in the areas of reading, mathematics, and language arts for **eligible children** in grades preschool through grade 12 are approvable under Chapter 1. The services must be based on the educational needs of the children as determined by an annual needs assessment, and the program description must be included in the school district's Chapter 1 application which is submitted to the Colorado Department of Education (CDE) for approval.

Specific services could include salaries and benefits for Chapter 1 teachers; supplies, materials, and equipment; inservice training in Chapter 1 curricular areas for staff who work with Chapter 1 children; and parent involvement activities.

c. **How can a charter school apply for Chapter 1 funds?**

A charter school cannot apply directly for Chapter 1 funds. Only a local school district or BOCS (board of cooperative services) may submit an application to CDE for Chapter 1 funds. Therefore, if a charter school qualifies for Chapter 1 services, it should be included in the school district's or BOCS' application. The school district or BOCS retains fiscal and administrative control and responsibility for the funds.

e. **How does a school district determine the amount of Chapter 1 funds available for a charter school?**

Chapter 1 funds are distributed to schools based upon the number of eligible children and their educational needs within the limitations of total Chapter 1 funds available to the school district.

d. **How can a charter school qualify for Chapter 1 services?**

There are two ways that a charter school may qualify for Chapter 1 services:

(1) On its own merit.

In order to qualify **any** public school for Chapter 1 services, the school district ranks all of its schools on the basis of the number or percent of children from low-income families. The schools must be served by Chapter 1 in rank order within the limitations of funding. If the charter school **enrollment** contains a concentration of low-income children that places it within the range of eligible schools that can be served, it would qualify for Chapter 1 services on its own merit.

(2) As a school of choice.

The school district and charter school officials can identify the children enrolled in the charter school who actually **reside** in Chapter 1 school attendance areas. The children within this "residency pool" who are determined to be achieving below a level appropriate for their age are eligible for Chapter 1 services.

6. Chapter 1 ESEA, continued

f. Can Chapter 1 funds be co-mingled with other funds available to the charter school?

No. The school district must retain control over all Chapter 1 funds which must be accounted for separately from other funds. Chapter 1 funds may only support supplementary services for identified Chapter 1 children which must be contained in the application submitted to CDE by the local school district.

g. What other Chapter 1 requirements accompany Chapter 1 funds?

Evaluation

The achievement of Chapter 1 children must be evaluated and reported to CDE on an annual basis. National standards require that norm-referenced tests be used in grades two through twelve although additional alternative assessment measures are encouraged. Preschool, kindergarten and grade 1 may be assessed using appropriate objective measures.

Parent Involvement

Parental involvement is required in the design, implementation, and evaluation of the Chapter 1 program and parents are encouraged and trained, if appropriate, to be involved in the education of their own children.

Coordination

Chapter 1 programs must be coordinated with the regular program of instruction and with other programs such as special education and programs for limited-English proficient children.

School Program Improvement

If a school does not make substantial progress toward meeting the objectives stated in the Chapter 1 application, the school would be identified for program improvement which requires developing and implementing an improvement plan. If progress is not made after a year of plan implementation, a joint plan must be developed by the school and CDE. Refining and implementing the joint plan must continue until substantial progress is made. Additional funds are available to help implement Chapter 1 program improvement plans.

h. What timelines should a charter school follow in order to receive Chapter 1 services?

The local school district usually begins planning for next year's Chapter 1 application in January or February, starting with the needs assessment, and continues throughout the spring. Chapter 1 applications are due in the CDE Chapter 1 office on June 1, although an extension may be requested. No funds may be obligated or spent before the application is approved.

Charter school officials must work closely with the Chapter 1 director in their local school district in developing a Chapter 1 program.

7. Chapter 2

a. What is Chapter 2 ESEA?

Chapter 2 of the Elementary and Secondary Education Act is a federal program that provides initial funding to schools to implement promising educational programs that are targeted in six broad areas:

(1) Programs to serve students at risk of failure in school and of dropping out.

(2) Programs for the acquisition and use of instructional and educational materials.

(3) Innovative programs designed to carry out schoolwide improvements, including the effective schools program.

(4) Programs of training and professional development, including programs to train staff to identify students at risk of adult illiteracy.

(5) Programs designed to enhance personal excellence and student achievement including ethics, the performing and creative arts, humanities, physical fitness, comprehensive health education, community service, as well as other programs.

(6) Innovative projects that would enhance the educational climate of the school including gifted and talented programs, technology education, early childhood education, community programs, youth suicide prevention, and other educational programs.

b. What services could be funded by Chapter 2 at the charter school?

Staff salaries and benefits, consulting fees, capital outlay, staff development, parent involvement activities, etc. that address any of the six targeted areas listed above.

c. How can a charter school apply for Chapter 2 funds?

A charter school may not apply directly for Chapter 2 funds, but must instead express a desire to receive funds and apply through the school district or Board of Cooperative Educational Services (BOCS) in which the charter school is located.

d. How can a charter school qualify for Chapter 2 services?

Any nonprofit educational institution or school that is the primary source of instruction for school age children can qualify for Chapter 2 services.

7. Chapter 2, continued

c. How does a school district determine the amount of Chapter 2 funds available for a charter school?

CDE provides a Chapter 2 per pupil allocation to each local school district which could be used to determine the amount of funds available to a charter school. However, certain circumstances may necessitate a school district or BOCS allocating unequal amounts of Chapter 2 funds for district/BOCS students or charter school students if the cost of meeting their Chapter 2 needs are different.

f. Can Chapter 2 funds be co-mingled with other funds available to the charter school?

No. The school district must retain administration and control of Chapter 2 funds and recipients of federal funds must maintain separate accounting by program and fiscal year.

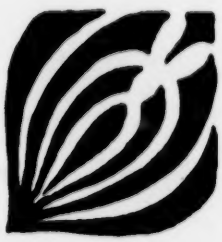
g. What other requirements accompany Chapter 2 funds?

Consultation

Parents, teachers, administrators, as well as others deemed appropriate by the school must be systematically involved in the needs assessment, allocation of funds, design, planning and implementation of the school's Chapter 2 program.

Evaluation

A school which receives assistance under Chapter 2 shall evaluate the effectiveness of programs under this chapter and report annually, through the local school district, to CDE on the use of these funds.



h. What timelines should a charter school follow in order to receive Chapter 2 services?

A school should begin the needs assessment process during the spring months. Applications are due in the CDE Chapter 2 office by June 30th. Applications will not be reviewed until evaluations of the previous year's projects are received. Funds may not be obligated or spent prior to approval of the application by CDE.

8. Other Federal Programs that may be of interest to Charter Schools

Drug Free Schools and Communities Act Program	Drug Abuse Resistance Education (D.A.R.E.)	HIV and STD (Sexually Transmitted Diseases) Prevention
To assist school districts/BOCES with planning, implementing, and evaluating their DFSCA programs. Allowable costs include programs for social skills building; student assistance; tobacco, alcohol, and other drug curriculum; violence and other self-destructive behavior prevention; child abuse; peer counseling and /or leadership; and parent/community involvement. Fiscal responsibilities are with the school district for all schools in their catchment area.	To teach life skills and how to resist negative pressures from peers and others McKinney Homeless Education for Children and Youth To remove all barriers to enrollment and success in public schools for homeless children and youth. Grants are available to local school districts for direct educational services and support services.	To assist Colorado school districts and youth-serving agencies in providing accurate and age-appropriate prevention programs for school and agency staff, students K-12, and parents. Program components include technical assistance, training, and resource sharing in the areas of policy development, school/community program development and implementation, skills-based curriculum, reaching minority populations and reaching youth in high risk situations.

a. **How could a charter school qualify for these services?**

Charter schools could qualify for all of these programs if the need exists.

b. **What timelines should the charter school follow in order to receive any of these services?**

The program year begins July 1 and ends June 30 for most programs. Planning usually begins in the spring. Applications from local school districts are due in the appropriate CDE office in June. No funds may be obligated or spent before the applications has been approved by CDE.

c. **Can any of these funds be co-mingled with other funds available to the charter school?**

No. The school district must retain control over these funds. The funds for each program must be accounted for separately from other program funds and must be used only for services specified in the approved program application.

NOTE: The charter school is encouraged to check with the superintendent's office of its local school district for other federal sources of funding that may be available.

d. **How could a charter school apply for these services?**

All applications must be made through the local school district., except for the D.A.R.E. Program. The charter school should contact the local coordinator, director, or liaison of each program in the school district for guidance on planning, program design, and funding amounts. The charter school services for these programs would then be included in the school district's or BOCS' applications for program funding made to CDE.

For the D.A.R.E. Program, a school must enter into a cooperative agreement with its local law-enforcement agency to implement the program. D.A.R.E. is taught by a police officer. Funding may be available through the Division of Criminal Justice, in the Department of Public Safety, or through Community for a Drug-Free Colorado in the Department of Local Affairs. CDE provides training for the officers but no direct funding to school districts.

9. Special Education

a. **What is special education?**

Special education refers to those instructional and related services (such as occupational therapy, physical therapy, etc.) that are provided to students with disabilities in accordance with an individualized education program (IEP). Federal and state laws require that public schools assess students suspected of having disabilities. If it is determined by the public school system that a student has a disability that renders the student unable to receive reasonable benefit from regular education, an individualized educational program must be developed for the student and instructional and related services provided to the student in accordance with the plan. As a public school, each charter school shares in the obligation to accept and appropriately serve children with disabilities within the framework of the IEP.

b. **How is special education administered?**

The State of Colorado, Department of Education, administers its programs for children with disabilities through administrative units. A single district or group of districts (Boards of Cooperative Services) may petition the Colorado Department of Education to be designated as an administrative unit. Each administrative unit must have a director of special education who is responsible for special education within that unit.

c. **How is special education funded?**

Special education is funded by means of a combination of sources: federal, state and local. Both the federal and state governments appropriate categorical funds for the education of children with disabilities. However, federal funding is based directly on a count conducted in December by administrative units, whereas state funding is based on reimbursable costs, such as teacher salaries, etc.

d. **How can a Charter School qualify for special education funds?**

A Charter School can apply only through the administrative unit in which the school is located. With respect to state funds, the administrative unit would apply to the CDE for allowable reimbursable costs, e.g., for salaries of teachers appropriately certified and endorsed. Federal funds would be allocated on the basis of the December count which generates funds for the following school year.

e. **Can special education funds be co-mingled with other funds available to the Charter School?**

No, they must be accounted for separately. Because they are categorically designated, that is for the education of children with disabilities, such funds must be used for special education only.

f. **If a Charter School chooses not to accept either federal or state special education funds, may it not provide special education?**

A special education student who chooses to attend a Charter School must be provided services by an appropriately certificated and endorsed special education teacher in accordance with the student's IEP. A student in a Charter School, suspected of having a disability that may be a reason for the student's educational difficulty, must be assessed and considered for special education regardless of whether or not federal or state special education funds are accepted by the Charter School.

g. **What services can be provided at the Charter School with special education funds?**

Salaries for special education personnel, capital outlay, staff travel, etc.

h. **What timelines should a Charter School follow in order to receive special education funds?**

Applications and final reports must be submitted to the administrative unit in accordance with the unit's schedule.

i. **Who should assist the Charter School at the local level?**

The local director of special education should be contacted for assistance in assuring that children with disabilities are served appropriately in a Charter School. Arrangements for categorical funding are made with the local administrative unit with the assistance of the director of special education.

10. English Language Proficiency Act (ELPA)

a. **What is ELPA?**

The English Language Proficiency Act (ELPA) is a state program established by the General Assembly to provide partial support for programs for students, K-12, whose dominant language is not English. The act helps fund such district programs for a maximum of two years per student. The purpose is to improve the English proficiency and academic development of limited English proficient (LEP) students. Students are eligible for funding if their dominant language is not English or if their dominant language is difficult to determine and they demonstrate limited English proficiency. The act includes requirements for identifying, assessing, serving and reporting.

b. **What is our obligation to serve limited English proficient students?**

The U.S. Supreme Court (Lau v. Nichols), federal rules and legislation (including Title VI of the 1964 Civil Rights Act), and state statutes all require that students with limited English proficiency must be served appropriately to insure that these students have meaningful access to the school's programs.

Each school district that receives ELPA funding has an ELPA director or administrator. The charter school applicant should contact this person for further information.

11. Summary of Colorado Regulations

The following is a list of the rules and regulations enacted by the State Board of Education and published in the Colorado Code of Regulations (CCR). The information provided summarizes the contents of the various rules. For more specific details, please consult Volume 1 of the CCR available in your local library or school district.

Accreditation of School Districts
301-1

In order to carry out its responsibility to supervise the public schools, these rules were implemented by the state board to assist all school districts in improving the educational opportunities and achievement outcomes for students, while being accountable to the communities they serve. The rules define the roles of the various participants in the accountability and accreditation processes, including district and school building accountability committees. The individual school improvement process which results in a plan for each school is outlined, as are the requirements for reporting on these issues to the community. Additional rules address the requirements for accreditation and the three different types of accreditation that districts may seek and achieve.

General Educational Development (GED) Testing Program
301-2

The GED rules establish eligibility requirements for test candidates, minimum score requirements, application and test administration procedures, and test center approval process and operational protocols.

School Food Services
301-3

These rules set forth certain requirements that school food services must meet in order to be eligible for reimbursement under the National School Lunch Program or the Child Nutrition Act. The requirements pertain to such items as pricing, supplemental and competitive food services, commodities use, free and reduced price meals, and record keeping.

Determination of Indigency and Establishing Policy on School Fees
301-4

The definition of indigent is contained in these rules. They also set forth how a district informs parents of a fee to be charged and how persons may establish if they are eligible for a fee waiver.

Administration of the Exceptional Children's Educational Act
301-8

This set of rules establishes the administrative framework for providing educational services to students with disabilities and gifted and talented students. The rules set forth the definitions of handicapping conditions, the eligibility criteria for receiving services, and the procedures to be followed in identifying, assessing and serving those children eligible for services under the Exceptional Children's Educational Act. Also included are the criteria for creating and maintaining public administrative units, the standards for provision of services to eligible students and the requirements for private facilities that provide services to publicly placed students with disabilities. The procedural safeguards provided to parents of students with disabilities are stated. Provisions for reimbursement under state law of certain expenditures incurred by administrative units in serving students with disabilities are detailed.

English Language Proficiency Act (ELPA)
301-10

The ELPA rules define the parameters of the programs to be funded under the law. They explain which students are eligible for funding and how those students are identified and assessed. Additionally, they set out the required record keeping, fund distribution and reporting aspects of the program.

11. Summary of Colorado Regulations, continued

Accounting and Reporting 301-11

The various funds and accounts which may be maintained by school districts are defined and their uses explained in these rules.

Administration of the Public School Finance Act 301-12

These rules set forth how funding of school districts is determined under the current laws. Information on the following topics is contained in the rules: counting pupils in determining pupil enrollment, establishing full time pupil membership, establishing a local district's revenue base, payments for students placed outside their districts of residence, program standards for eligible facilities with on-grounds schools.

Administration of Pilot Programs Concerned with an Extended School Year 301-13

Districts wishing to be approved as pilot programs for alternative school year calendars must fulfill certain requirements that are set forth in these rules.

Administration of the Public School Transportation Act 301-14

This set of rules establishes the procedure and requirements for districts to receive reimbursement for certain costs of providing transportation to students. The rules contain a list of those expenditures that may be reimbursed. They describe how districts may contract for services.

Administration of the Teacher Certification Act of 1975 301-15

In great detail, these rules set forth the requirements an individual must meet to obtain and maintain a certificate to teach. Among the topics addressed by these rules are the following:

- teacher certification application procedures;
- types of teaching certificates and minimum criteria necessary to obtain them;
- provisional certificates, written authorizations and letters of authorization;
- alternative teaching certificates;
- approved programs of professional education and standards for evaluating accepted institutions of higher education in Colorado that offer teacher education programs;
- requirements for endorsements of certificates or letters of authorization that designate the area of expertise and training of the teacher;
- procedures for approval of new or modified teacher education programs;
- Minority Alternative Teachers Fellowship Program and Minority Teacher Fund;
- requirements for renewal of a certificate;
- suspension, revocation, or annulment of a certificate or letter of authorization;
- mandatory reporting of unlawful behavior; and
- competency testing in the basic skills.

Teacher Qualification Driver Education 301-16

These rules delineate the required training and expertise that a teacher must have in order to be assigned to teach driver education, traffic education and related courses.

Teacher Qualification Motorcycle Safety Education 301-17

This rule states requirements for a teacher to be certified as a motorcycle safety education teacher.

11. Summary of Colorado Regulations, continued

Administration of
County Equalization Grant Programs
301-21

These rules establish the parameters within which the Colorado State Library in the Colorado Department of Education distributes grant money to counties for library services. The money is used to provide supplemental support to counties which cannot provide a minimum level of library services due to low per capita income and low assessed valuation. The rules state the eligibility criteria, the grant formula, and the planning requirements for the program.

Regional Library Service Systems
301-22

In these rules is the method for organizing and creating the regional library service systems. The systems must develop plans, assume certain responsibilities and meet certain reporting requirements.

Administration of the Colorado
Library Network--
Payment for Lending Program
301-23

The rules establish eligibility criteria for reimbursement of certain lending transactions by members of a Regional Library Service System.

Minimum Standards Governing
School Transportation Vehicles
301-25

The minimum standards for school transportation vehicles purchased for use in Colorado are contained in these rules. Specifications for the various school transportation vehicle components are listed, including for example, brakes, heating systems, floor coverings, flashing signals and the bus chassis. There are separate rules applying to vehicles used for transporting students with disabilities.

Operation of
School Transportation Vehicles
301-26

These rules establish standards that must be met by the operators of school transportation vehicles, including minimum operator permit requirements, operator physical requirements and operator training requirements. They contain the rules for safe operation of school transportation vehicles such as procedures for safe stops for loading and unloading children and accident or breakdown procedures.

Administration of the
State Publications Depository
and Distribution Center
301-28

The procedures for depositing and maintaining state publications is detailed in these rules, as is the procedure for being designated a state depository.

Inspection of
School Transportation Vehicles
301-29

The vehicle inspection rules set out the inspection procedures as well as the criteria the vehicles must meet in order to achieve a satisfactory inspection rating. The inspection criteria address such areas as steering suspension, brake system, drive train and lighting.

Second Chance Program
301-30

Eligibility criteria for students and schools that wanted to participate in the pilot program are set forth. Second chance was a program targeted to assist students who had difficulty succeeding in traditional schools. The rules include procedures for applications and financial transactions.

Declaratory Orders Procedure
301-31

The State Board of Education is required by law to have a procedure to terminate controversies by use of declaratory orders or to determine the applicability of the board's rules or orders to a particular individual or situation. These rules establish such a procedure.

11. Summary of Colorado Regulations, continued

Preschool Program for Language Development
301-32

These rules provide the procedural framework for participation in the preschool program established by the General Assembly. The rules set out eligibility criteria for participation by school districts and how districts are selected to participate. The procedures for selecting a district council, developing a district plan, and determining the eligible students are detailed.

Postsecondary Enrollment Options
301-33

Prior to the amendments enacted in the most recent legislative session, this set of rules outlined the parameters for participation by school districts and institutions of higher education in the program whereby certain high school students were eligible to attend and apply credit earned at postsecondary state institutions toward high school graduation, as well as toward a postsecondary degree or certificate.

Adult Literacy
301-34

These rules establish how literacy programs may apply to the State Board for grants to provide literacy instruction for adults. The criteria for the programs is stated, as well as the requirements to be met by grant recipients.

Waiver of Statute and Rule
301-35

If a school district seeks a waiver of any requirement of Title 22 of the Colorado Revised Statutes or of the rules of the State Board, the procedure to be followed is established by these rules. The criteria by which the waiver request will be judged are stated.

Interdistrict Public Schools of Choice Pilot Program
301-36

When the General Assembly provided funding for an interdistrict schools of choice program, these rules were enacted to set forth the parameters which would guide the Department of Education in selecting which programs were to receive funds.

IV. Resources

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An Act

SENATE BILL 93-183

BY SENATORS Owens, Trujillo, Bird, Blickensderfer, Johnson, Roberts, Ruddick, Schaffer, Schroeder, Meiklejohn, Mutzebaugh, Norton, and Tebedo;
also REPRESENTATIVES Kerns, Agler, Anderson, Reeves, Adkins, Berry, Coffman, Dyer, Foster, Hagedorn, Jerke, Kaufman, Lawrence, May, Owen, Ratterree, and Sullivan.

CONCERNING CHARTER SCHOOLS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 22, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 30.5
Charter Schools

22-30.5-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "CHARTER SCHOOLS ACT".

22-30.5-102. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:

(a) IT IS THE OBLIGATION OF ALL COLORADANS TO PROVIDE ALL CHILDREN WITH SCHOOLS THAT REFLECT HIGH EXPECTATIONS AND CREATE CONDITIONS IN ALL SCHOOLS WHERE THESE EXPECTATIONS CAN BE MET;

(b) EDUCATION REFORM IS IN THE BEST INTERESTS OF THE STATE IN ORDER TO STRENGTHEN THE PERFORMANCE OF ELEMENTARY AND SECONDARY PUBLIC SCHOOL PUPILS, THAT THE BEST EDUCATION DECISIONS ARE MADE BY THOSE WHO KNOW THE STUDENTS BEST AND WHO ARE RESPONSIBLE FOR IMPLEMENTING THE DECISIONS, AND, THEREFORE, THAT EDUCATORS AND PARENTS HAVE A RIGHT AND A RESPONSIBILITY TO PARTICIPATE IN THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

EDUCATION INSTITUTIONS WHICH SERVE THEM;

(c) DIFFERENT PUPILS LEARN DIFFERENTLY AND PUBLIC SCHOOL PROGRAMS SHOULD BE DESIGNED TO FIT THE NEEDS OF INDIVIDUAL PUPILS AND THAT THERE ARE EDUCATORS, CITIZENS, AND PARENTS IN COLORADO WHO ARE WILLING AND ABLE TO OFFER INNOVATIVE PROGRAMS, EDUCATIONAL TECHNIQUES, AND ENVIRONMENTS BUT WHO LACK A CHANNEL THROUGH WHICH THEY CAN DIRECT THEIR INNOVATIVE EFFORTS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THIS ARTICLE IS ENACTED FOR THE FOLLOWING PURPOSES:

(a) TO IMPROVE PUPIL LEARNING BY CREATING SCHOOLS WITH HIGH, RIGOROUS STANDARDS FOR PUPIL PERFORMANCE;

(b) TO INCREASE LEARNING OPPORTUNITIES FOR ALL PUPILS, WITH SPECIAL EMPHASIS ON EXPANDED LEARNING EXPERIENCES FOR PUPILS WHO ARE IDENTIFIED AS ACADEMICALLY LOW-ACHIEVING;

(c) TO ENCOURAGE DIVERSE APPROACHES TO LEARNING AND EDUCATION AND THE USE OF DIFFERENT AND INNOVATIVE TEACHING METHODS;

(d) TO ALLOW THE DEVELOPMENT OF DIFFERENT AND INNOVATIVE FORMS OF MEASURING PUPIL LEARNING AND ACHIEVEMENT;

(e) TO CREATE NEW PROFESSIONAL OPPORTUNITIES FOR TEACHERS, INCLUDING THE OPPORTUNITY TO BE RESPONSIBLE FOR THE LEARNING PROGRAM AT THE SCHOOL SITE;

(f) TO PROVIDE PARENTS AND PUPILS WITH EXPANDED CHOICES IN THE TYPES OF EDUCATION OPPORTUNITIES THAT ARE AVAILABLE WITHIN THE PUBLIC SCHOOL SYSTEM;

(g) TO ENCOURAGE PARENTAL AND COMMUNITY INVOLVEMENT WITH PUBLIC SCHOOLS;

(h) TO HOLD CHARTER SCHOOLS ACCOUNTABLE FOR MEETING STATE BOARD AND SCHOOL DISTRICT CONTENT STANDARDS AND TO PROVIDE SUCH SCHOOLS WITH A METHOD TO CHANGE ACCOUNTABILITY SYSTEMS.

(3) IN AUTHORIZING CHARTER SCHOOLS, IT IS THE INTENT OF THE GENERAL ASSEMBLY TO CREATE A LEGITIMATE AVENUE FOR PARENTS, TEACHERS, AND COMMUNITY MEMBERS TO TAKE RESPONSIBLE RISKS AND CREATE NEW, INNOVATIVE, AND MORE FLEXIBLE WAYS OF EDUCATING ALL CHILDREN WITHIN THE PUBLIC SCHOOL SYSTEM. THE GENERAL ASSEMBLY SEEKS TO CREATE AN ATMOSPHERE IN COLORADO'S PUBLIC SCHOOL SYSTEMS WHERE RESEARCH AND DEVELOPMENT IN DEVELOPING DIFFERENT LEARNING OPPORTUNITIES IS ACTIVELY PURSUED. AS SUCH, THE PROVISIONS OF THIS ARTICLE SHOULD BE INTERPRETED LIBERALLY TO SUPPORT THE FINDINGS AND GOALS OF THIS SECTION AND TO ADVANCE A RENEWED COMMITMENT BY THE STATE OF COLORADO TO THE MISSION, GOALS, AND

DIVERSITY OF PUBLIC EDUCATION.

22-30.5-103. Definitions. (1) FOR PURPOSES OF THIS ARTICLE:

(a) "AT-RISK PUPIL" MEANS A PUPIL WHO, BECAUSE OF PHYSICAL, EMOTIONAL, SOCIOECONOMIC, OR CULTURAL FACTORS, IS LESS LIKELY TO SUCCEED IN A CONVENTIONAL EDUCATIONAL ENVIRONMENT.

(b) "LOCAL BOARD OF EDUCATION" MEANS THE SCHOOL DISTRICT BOARD OF EDUCATION.

(c) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION.

22-30.5-104. Charter school - requirements - authority. (1) A CHARTER SCHOOL SHALL BE A PUBLIC, NONSECTARIAN, NONRELIGIOUS, NON-HOME-BASED SCHOOL WHICH OPERATES WITHIN A PUBLIC SCHOOL DISTRICT.

(2) A CHARTER SCHOOL SHALL BE A PUBLIC SCHOOL WHICH IS PART OF THE SCHOOL DISTRICT IN WHICH IT IS LOCATED AND SHALL BE ACCOUNTABLE TO THE LOCAL BOARD OF EDUCATION FOR PURPOSES OF ENSURING COMPLIANCE WITH APPLICABLE LAWS AND CHARTER PROVISIONS AND THE REQUIREMENT OF SECTION 15 OF ARTICLE IX OF THE STATE CONSTITUTION.

(3) A CHARTER SCHOOL SHALL BE SUBJECT TO ALL FEDERAL AND STATE LAWS AND CONSTITUTIONAL PROVISIONS PROHIBITING DISCRIMINATION ON THE BASIS OF DISABILITY, RACE, CREED, COLOR, GENDER, NATIONAL ORIGIN, RELIGION, ANCESTRY, OR NEED FOR SPECIAL EDUCATION SERVICES. A CHARTER SCHOOL SHALL BE SUBJECT TO ANY COURT-ORDERED DESEGREGATION PLAN IN EFFECT FOR THE SCHOOL DISTRICT. ENROLLMENT MUST BE OPEN TO ANY CHILD WHO RESIDES WITHIN THE SCHOOL DISTRICT.

(4) A CHARTER SCHOOL SHALL BE ADMINISTERED AND GOVERNED BY A GOVERNING BODY IN A MANNER AGREED TO BY THE CHARTER SCHOOL APPLICANT AND THE LOCAL BOARD OF EDUCATION.

(5) EXCEPT AS OTHERWISE PROVIDED IN SECTIONS 22-32-115 AND 22-53-104, A CHARTER SCHOOL SHALL NOT CHARGE TUITION.

(6) PURSUANT TO CONTRACT, A CHARTER SCHOOL MAY OPERATE FREE FROM SPECIFIED SCHOOL DISTRICT POLICIES AND STATE REGULATIONS. UPON REQUEST OF THE CHARTER APPLICANT, THE STATE BOARD AND THE LOCAL BOARD OF EDUCATION SHALL PROVIDE SUMMARIES OF SUCH REGULATIONS AND POLICIES TO USE IN PREPARING A CHARTER SCHOOL APPLICATION. THE DEPARTMENT OF EDUCATION SHALL PREPARE THE SUMMARY OF STATE REGULATIONS WITHIN EXISTING APPROPRIATIONS.

(7) (a) A CHARTER SCHOOL SHALL BE RESPONSIBLE FOR ITS OWN OPERATION INCLUDING, BUT NOT LIMITED TO, PREPARATION OF A BUDGET,

CONTRACTING FOR SERVICES, AND PERSONNEL MATTERS.

(b) A CHARTER SCHOOL MAY NEGOTIATE AND CONTRACT WITH A SCHOOL DISTRICT, THE GOVERNING BODY OF A STATE COLLEGE OR UNIVERSITY, OR ANY THIRD PARTY FOR THE USE OF A SCHOOL BUILDING AND GROUNDS, THE OPERATION AND MAINTENANCE THEREOF, AND THE PROVISION OF ANY SERVICE, ACTIVITY, OR UNDERTAKING WHICH THE CHARTER SCHOOL IS REQUIRED TO PERFORM IN ORDER TO CARRY OUT THE EDUCATIONAL PROGRAM DESCRIBED IN ITS CHARTER. ANY SERVICES FOR WHICH A CHARTER SCHOOL CONTRACTS WITH A SCHOOL DISTRICT SHALL BE PROVIDED BY THE DISTRICT AT COST.

(c) IN NO EVENT SHALL A CHARTER SCHOOL BE REQUIRED TO PAY RENT FOR SPACE WHICH IS DEEMED AVAILABLE, AS NEGOTIATED BY CONTRACT, IN SCHOOL DISTRICT FACILITIES. ALL OTHER COSTS FOR THE OPERATION AND MAINTENANCE OF THE FACILITIES USED BY THE CHARTER SCHOOL SHALL BE SUBJECT TO NEGOTIATION BETWEEN THE CHARTER SCHOOL AND THE SCHOOL DISTRICT.

22-30.5-105. Charter schools - contract contents - regulations. (1) AN APPROVED CHARTER APPLICATION SHALL CONSTITUTE AN AGREEMENT, AND THE TERMS THEREOF SHALL BE THE TERMS OF A CONTRACT BETWEEN THE CHARTER SCHOOL AND THE LOCAL BOARD OF EDUCATION.

(2) THE CONTRACT BETWEEN THE CHARTER SCHOOL AND THE LOCAL BOARD OF EDUCATION SHALL REFLECT ALL AGREEMENTS REGARDING THE RELEASE OF THE CHARTER SCHOOL FROM SCHOOL DISTRICT POLICIES.

(3) THE CONTRACT BETWEEN THE CHARTER SCHOOL AND THE LOCAL BOARD OF EDUCATION SHALL REFLECT ALL REQUESTS FOR RELEASE OF THE CHARTER SCHOOL FROM STATE REGULATIONS. THE LOCAL BOARD OF EDUCATION AND THE CHARTER SCHOOL SHALL JOINTLY REQUEST SUCH RELEASE FROM THE STATE BOARD.

(4) A MATERIAL REVISION OF THE TERMS OF THE CONTRACT MAY BE MADE ONLY WITH THE APPROVAL OF THE LOCAL BOARD OF EDUCATION AND THE GOVERNING BODY OF THE CHARTER SCHOOL.

22-30.5-106. Charter application - contents. (1) THE CHARTER SCHOOL APPLICATION SHALL BE A PROPOSED AGREEMENT AND SHALL INCLUDE:

(a) THE MISSION STATEMENT OF THE CHARTER SCHOOL, WHICH MUST BE CONSISTENT WITH THE PRINCIPLES OF THE GENERAL ASSEMBLY'S DECLARED PURPOSES AS SET FORTH IN SECTION 22-30.5-102 (2) AND (3);

(b) THE GOALS, OBJECTIVES, AND PUPIL PERFORMANCE STANDARDS TO BE ACHIEVED BY THE CHARTER SCHOOL;

(c) EVIDENCE THAT AN ADEQUATE NUMBER OF PARENTS, TEACHERS, PUPILS, OR ANY COMBINATION THEREOF SUPPORT THE FORMATION OF A

CHARTER SCHOOL;

(d) A STATEMENT OF THE NEED FOR A CHARTER SCHOOL IN A SCHOOL DISTRICT OR IN A GEOGRAPHIC AREA WITHIN A SCHOOL DISTRICT;

(e) A DESCRIPTION OF THE CHARTER SCHOOL'S EDUCATIONAL PROGRAM, PUPIL PERFORMANCE STANDARDS, AND CURRICULUM, WHICH MUST MEET OR EXCEED ANY CONTENT STANDARDS ADOPTED BY THE SCHOOL DISTRICT IN WHICH THE CHARTER SCHOOL IS LOCATED AND MUST BE DESIGNED TO ENABLE EACH PUPIL TO ACHIEVE SUCH STANDARDS;

(f) A DESCRIPTION OF THE CHARTER SCHOOL'S PLAN FOR EVALUATING PUPIL PERFORMANCE, THE TYPES OF ASSESSMENTS THAT WILL BE USED TO MEASURE PUPIL PROGRESS TOWARDS ACHIEVEMENT OF THE SCHOOL'S PUPIL PERFORMANCE STANDARDS, THE TIMELINE FOR ACHIEVEMENT OF SUCH STANDARDS, AND THE PROCEDURES FOR TAKING CORRECTIVE ACTION IN THE EVENT THAT PUPIL PERFORMANCE AT THE CHARTER SCHOOL FALLS BELOW SUCH STANDARDS;

(g) EVIDENCE THAT THE PLAN FOR THE CHARTER SCHOOL IS ECONOMICALLY SOUND FOR BOTH THE CHARTER SCHOOL AND THE SCHOOL DISTRICT, A PROPOSED BUDGET FOR THE TERM OF THE CHARTER, A DESCRIPTION OF THE MANNER IN WHICH AN ANNUAL AUDIT OF THE FINANCIAL AND ADMINISTRATIVE OPERATIONS OF THE CHARTER SCHOOL, INCLUDING ANY SERVICES PROVIDED BY THE SCHOOL DISTRICT, IS TO BE CONDUCTED, AND A PLAN FOR THE DISPLACEMENT OF PUPILS, TEACHERS, AND OTHER EMPLOYEES WHO WILL NOT ATTEND OR BE EMPLOYED IN THE CHARTER SCHOOL;

(h) A DESCRIPTION OF THE GOVERNANCE AND OPERATION OF THE CHARTER SCHOOL, INCLUDING THE NATURE AND EXTENT OF PARENTAL, PROFESSIONAL EDUCATOR, AND COMMUNITY INVOLVEMENT IN THE GOVERNANCE AND OPERATION OF THE CHARTER SCHOOL;

(i) AN EXPLANATION OF THE RELATIONSHIP THAT WILL EXIST BETWEEN THE PROPOSED CHARTER SCHOOL AND ITS EMPLOYEES, INCLUDING EVIDENCE THAT THE TERMS AND CONDITIONS OF EMPLOYMENT HAVE BEEN ADDRESSED WITH AFFECTED EMPLOYEES AND THEIR RECOGNIZED REPRESENTATIVE, IF ANY;

(j) AN AGREEMENT BETWEEN THE PARTIES REGARDING THEIR RESPECTIVE LEGAL LIABILITY AND APPLICABLE INSURANCE COVERAGE;

(k) A DESCRIPTION OF HOW THE CHARTER SCHOOL PLANS TO MEET THE TRANSPORTATION NEEDS OF ITS PUPILS AND, IF THE CHARTER SCHOOL PLANS TO PROVIDE TRANSPORTATION FOR PUPILS, A PLAN FOR ADDRESSING THE TRANSPORTATION NEEDS OF LOW-INCOME AND ACADEMICALLY LOW-ACHIEVING PUPILS.

(2) NO PERSON, GROUP, OR ORGANIZATION MAY SUBMIT AN APPLICATION TO CONVERT A PRIVATE SCHOOL OR A NON-PUBLIC HOME-BASED EDUCATIONAL PROGRAM INTO A CHARTER SCHOOL OR TO CREATE A CHARTER

SCHOOL WHICH IS A NON-PUBLIC HOME-BASED EDUCATIONAL PROGRAM AS DEFINED IN SECTION 22-33-104.5.

22-30.5-107. Charter application - process. (1) THE LOCAL BOARD OF EDUCATION SHALL RECEIVE AND REVIEW ALL APPLICATIONS FOR CHARTER SCHOOLS. THE LOCAL BOARD OF EDUCATION MAY ESTABLISH A SCHEDULE FOR RECEIVING APPLICATIONS AND SHALL MAKE A COPY OF ANY SUCH SCHEDULE AVAILABLE TO ALL INTERESTED PARTIES UPON REQUEST. IF SUCH BOARD FINDS THE CHARTER SCHOOL APPLICATION IS INCOMPLETE, THE BOARD SHALL REQUEST THE NECESSARY INFORMATION FROM THE CHARTER APPLICANT. THE CHARTER SCHOOL APPLICATION SHALL BE REVIEWED BY THE DISTRICT ACCOUNTABILITY COMMITTEE PRIOR TO CONSIDERATION BY THE LOCAL BOARD OF EDUCATION.

(2) AFTER GIVING REASONABLE PUBLIC NOTICE, THE LOCAL BOARD OF EDUCATION SHALL HOLD COMMUNITY MEETINGS IN THE AFFECTED AREAS OR THE ENTIRE SCHOOL DISTRICT TO OBTAIN INFORMATION TO ASSIST THE LOCAL BOARD OF EDUCATION IN ITS DECISION TO GRANT A CHARTER SCHOOL APPLICATION. THE LOCAL BOARD OF EDUCATION SHALL RULE ON THE APPLICATION FOR A CHARTER SCHOOL IN A PUBLIC HEARING, UPON REASONABLE PUBLIC NOTICE, WITHIN SIXTY DAYS AFTER RECEIVING THE APPLICATION.

(3) IF A LOCAL BOARD OF EDUCATION DENIES A CHARTER SCHOOL APPLICATION, THE CHARTER APPLICANT MAY APPEAL THE DENIAL TO THE STATE BOARD PURSUANT TO SECTION 22-30.5-108.

22-30.5-108. Appeal - standard of review - procedures. (1) ACTING PURSUANT TO ITS SUPERVISORY POWER AS PROVIDED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION, THE STATE BOARD, UPON RECEIPT OF A NOTICE OF APPEAL OR UPON ITS OWN MOTION, MAY REVIEW DECISIONS OF ANY LOCAL BOARD OF EDUCATION CONCERNING CHARTER SCHOOLS IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.

(2) A CHARTER APPLICANT OR ANY OTHER PERSON WHO WISHES TO APPEAL A DECISION OF A LOCAL BOARD OF EDUCATION CONCERNING A CHARTER SCHOOL SHALL PROVIDE THE STATE BOARD AND THE LOCAL BOARD OF EDUCATION WITH A NOTICE OF APPEAL WITHIN THIRTY DAYS OF THE LOCAL BOARD'S DECISION.

(3) IF THE NOTICE OF APPEAL, OR THE MOTION TO REVIEW BY THE STATE BOARD, RELATES TO A LOCAL BOARD'S DECISION TO DENY, REFUSE TO RENEW, OR REVOKE A CHARTER, THE APPEAL AND REVIEW PROCESS SHALL BE AS FOLLOWS:

(a) WITHIN THIRTY DAYS AFTER RECEIPT OF THE NOTICE OF APPEAL OR THE MAKING OF A MOTION TO REVIEW BY THE STATE BOARD AND AFTER REASONABLE PUBLIC NOTICE, THE STATE BOARD, AT A PUBLIC HEARING WHICH MAY BE HELD IN THE DISTRICT WHERE THE PROPOSED CHARTER SCHOOL IS LOCATED, SHALL REVIEW THE DECISION OF THE LOCAL BOARD OF EDUCATION AND MAKE ITS FINDINGS. IF THE STATE BOARD FINDS THAT THE LOCAL BOARD'S DECISION WAS CONTRARY TO THE BEST

INTERESTS OF THE PUPILS, SCHOOL DISTRICT, OR COMMUNITY, THE STATE BOARD SHALL REMAND SUCH DECISION TO THE LOCAL BOARD OF EDUCATION WITH WRITTEN INSTRUCTIONS FOR RECONSIDERATION THEREOF. SAID INSTRUCTIONS SHALL INCLUDE SPECIFIC RECOMMENDATIONS CONCERNING THE MATTERS REQUIRING RECONSIDERATION.

(b) WITHIN THIRTY DAYS FOLLOWING THE REMAND OF A DECISION TO THE LOCAL BOARD OF EDUCATION AND AFTER REASONABLE PUBLIC NOTICE, THE LOCAL BOARD OF EDUCATION, AT A PUBLIC HEARING, SHALL RECONSIDER ITS DECISION AND MAKE A FINAL DECISION.

(c) IF THE LOCAL BOARD OF EDUCATION'S FINAL DECISION IS STILL TO DENY, REFUSE TO RENEW, OR REVOKE A CHARTER, A SECOND NOTICE OF APPEAL MAY BE FILED WITH THE STATE BOARD WITHIN THIRTY DAYS FOLLOWING SUCH FINAL DECISION.

(d) WITHIN THIRTY DAYS FOLLOWING RECEIPT OF THE SECOND NOTICE OF APPEAL OR THE MAKING OF A MOTION FOR A SECOND REVIEW BY THE STATE BOARD AND AFTER REASONABLE PUBLIC NOTICE, THE STATE BOARD, AT A PUBLIC HEARING, SHALL DETERMINE WHETHER THE FINAL DECISION OF THE LOCAL BOARD OF EDUCATION WAS CONTRARY TO THE BEST INTERESTS OF THE PUPILS, SCHOOL DISTRICT, OR COMMUNITY. IF SUCH A FINDING IS MADE, THE STATE BOARD SHALL REMAND SUCH FINAL DECISION TO THE LOCAL BOARD WITH INSTRUCTIONS TO APPROVE THE CHARTER APPLICATION. THE DECISION OF THE STATE BOARD SHALL BE FINAL AND NOT SUBJECT TO APPEAL.

(4) IF THE NOTICE OF APPEAL, OR THE MOTION TO REVIEW BY THE STATE BOARD, RELATES TO A LOCAL BOARD'S DECISION TO GRANT A CHARTER, THE APPEAL AND REVIEW PROCESS SHALL BE AS FOLLOWS:

(a) (I) WITHIN THIRTY DAYS AFTER RECEIPT OF THE NOTICE OF APPEAL OR THE MAKING OF A MOTION TO REVIEW BY THE STATE BOARD AND AFTER REASONABLE PUBLIC NOTICE, THE STATE BOARD, AT A PUBLIC HEARING WHICH MAY BE HELD IN THE DISTRICT WHERE THE PROPOSED CHARTER SCHOOL IS LOCATED, SHALL REVIEW THE DECISION OF THE LOCAL BOARD OF EDUCATION AND DETERMINE WHETHER SUCH DECISION WAS ARBITRARY AND CAPRICIOUS OR WHETHER THE ESTABLISHMENT OR OPERATION OF THE PROPOSED CHARTER SCHOOL WOULD:

(A) VIOLATE ANY FEDERAL OR STATE LAWS CONCERNING CIVIL RIGHTS;

(B) VIOLATE ANY COURT ORDER;

(C) THREATEN THE HEALTH AND SAFETY OF PUPILS IN THE SCHOOL DISTRICT;

(D) VIOLATE THE PROVISIONS OF SECTION 22-30.5-109 (2), PRESCRIBING THE PERMISSIBLE NUMBER OF CHARTER SCHOOLS; OR

(E) BE INCONSISTENT WITH THE EQUITABLE DISTRIBUTION OF

CHARTER SCHOOLS AMONG SCHOOL DISTRICTS.

(II) IF SUCH A DETERMINATION IS MADE, THE STATE BOARD SHALL REMAND SUCH DECISION TO THE LOCAL BOARD WITH INSTRUCTIONS TO DENY THE CHARTER APPLICATION. THE DECISION OF THE STATE BOARD SHALL BE FINAL AND NOT SUBJECT TO APPEAL.

(5) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER THE REQUIREMENT THAT A CHARTER SCHOOL BE A PART OF THE SCHOOL DISTRICT IN WHICH IT IS LOCATED AND ACCOUNTABLE TO THE LOCAL BOARD OF EDUCATION PURSUANT TO SECTION 22-30.5-104 (2).

22-30.5-109. Charter schools - restrictions - establishment - number. (1) SCHOOL DISTRICTS MAY, BUT SHALL NOT BE OBLIGATED TO, ESTABLISH CHARTER SCHOOLS PRIOR TO THE 1994-95 SCHOOL YEAR. A LOCAL BOARD OF EDUCATION MAY REASONABLY LIMIT THE NUMBER OF CHARTER SCHOOLS IN THE SCHOOL DISTRICT.

(2) (a) NO MORE THAN FIFTY CHARTERS SHALL BE GRANTED PRIOR TO JULY 1, 1997, AND AT LEAST THIRTEEN OF SAID FIFTY CHARTERS SHALL BE RESERVED FOR CHARTER SCHOOL APPLICATIONS WHICH ARE DESIGNED TO INCREASE THE EDUCATIONAL OPPORTUNITIES OF AT-RISK PUPILS, AS DEFINED IN SECTION 22-30.5-103.

(b) LOCAL BOARDS OF EDUCATION WHICH GRANT CHARTER SCHOOL APPLICATIONS SHALL REPORT SUCH ACTION TO THE STATE BOARD AND SHALL SPECIFY WHETHER OR NOT SUCH SCHOOL IS DESIGNED TO INCREASE THE EDUCATIONAL OPPORTUNITIES OF AT-RISK PUPILS. THE STATE BOARD SHALL PROMPTLY NOTIFY THE BOARD OF EDUCATION OF EACH SCHOOL DISTRICT WHEN THE LIMITS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (2) HAVE BEEN REACHED.

(3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT PRIORITY OF CONSIDERATION BE GIVEN TO CHARTER SCHOOL APPLICATIONS DESIGNED TO INCREASE THE EDUCATIONAL OPPORTUNITIES OF AT-RISK PUPILS, AS DEFINED IN SECTION 22-30.5-103.

(4) IF OTHERWISE QUALIFIED, NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO PROHIBIT ANY INSTITUTION CERTIFIED AS AN EDUCATIONAL CLINIC PURSUANT TO ARTICLE 27 OF THIS TITLE, ON OR BEFORE APRIL 1, 1993, FROM APPLYING TO BECOME A CHARTER SCHOOL PURSUANT TO THIS ARTICLE.

(5) NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO PREVENT A SCHOOL IN A SCHOOL DISTRICT WHICH IS COMPRISED OF ONLY ONE SCHOOL FROM APPLYING TO BECOME A CHARTER SCHOOL PURSUANT TO THIS ARTICLE.

22-30.5-110. Charter schools - term - renewal of charter - grounds for nonrenewal or revocation. (1) A CHARTER MAY BE APPROVED OR RENEWED FOR A PERIOD NOT TO EXCEED FIVE ACADEMIC YEARS.

(2) A CHARTER SCHOOL RENEWAL APPLICATION SUBMITTED TO THE LOCAL BOARD OF EDUCATION SHALL CONTAIN:

(a) A REPORT ON THE PROGRESS OF THE CHARTER SCHOOL IN ACHIEVING THE GOALS, OBJECTIVES, PUPIL PERFORMANCE STANDARDS, CONTENT STANDARDS, AND OTHER TERMS OF THE INITIAL APPROVED CHARTER APPLICATION; AND

(b) A FINANCIAL STATEMENT THAT DISCLOSES THE COSTS OF ADMINISTRATION, INSTRUCTION, AND OTHER SPENDING CATEGORIES FOR THE CHARTER SCHOOL THAT IS UNDERSTANDABLE TO THE GENERAL PUBLIC AND THAT WILL ALLOW COMPARISON OF SUCH COSTS TO OTHER SCHOOLS OR OTHER COMPARABLE ORGANIZATIONS, IN A FORMAT REQUIRED BY THE STATE BOARD OF EDUCATION.

(3) A CHARTER MAY BE REVOKED OR NOT RENEWED BY THE LOCAL BOARD OF EDUCATION IF SUCH BOARD DETERMINES THAT THE CHARTER SCHOOL DID ANY OF THE FOLLOWING:

(a) COMMITTED A MATERIAL VIOLATION OF ANY OF THE CONDITIONS, STANDARDS, OR PROCEDURES SET FORTH IN THE CHARTER APPLICATION;

(b) FAILED TO MEET OR MAKE REASONABLE PROGRESS TOWARD ACHIEVEMENT OF THE CONTENT STANDARDS OR PUPIL PERFORMANCE STANDARDS IDENTIFIED IN THE CHARTER APPLICATION;

(c) FAILED TO MEET GENERALLY ACCEPTED STANDARDS OF FISCAL MANAGEMENT; OR

(d) VIOLATED ANY PROVISION OF LAW FROM WHICH THE CHARTER SCHOOL WAS NOT SPECIFICALLY EXEMPTED.

(4) IN ADDITION, A CHARTER MAY BE NOT RENEWED UPON A DETERMINATION BY THE LOCAL BOARD OF EDUCATION THAT IT IS NOT IN THE INTEREST OF THE PUPILS RESIDING WITHIN THE SCHOOL DISTRICT TO CONTINUE THE OPERATION OF THE CHARTER SCHOOL.

(5) A DECISION TO REVOKE OR NOT TO RENEW A CHARTER MAY BE APPEALED PURSUANT TO THE PROVISIONS OF SECTION 22-30.5-108.

22-30.5-111. Charter schools - employee options. (1) DURING THE FIRST YEAR THAT A TEACHER EMPLOYED BY A SCHOOL DISTRICT IS EMPLOYED BY A CHARTER SCHOOL, SUCH TEACHER SHALL BE CONSIDERED TO BE ON A ONE-YEAR LEAVE OF ABSENCE FROM THE SCHOOL DISTRICT. SUCH LEAVE OF ABSENCE SHALL COMMENCE ON THE FIRST DAY OF SERVICES FOR THE CHARTER SCHOOL. UPON THE REQUEST OF THE TEACHER, THE ONE-YEAR LEAVE OF ABSENCE SHALL BE RENEWED FOR UP TO TWO ADDITIONAL ONE-YEAR PERIODS UPON THE MUTUAL AGREEMENT OF THE TEACHER AND THE SCHOOL DISTRICT. AT THE END OF THREE YEARS, THE RELATIONSHIP BETWEEN THE TEACHER AND THE SCHOOL DISTRICT SHALL BE DETERMINED BY THE SCHOOL DISTRICT AND SUCH DISTRICT SHALL PROVIDE

NOTICE TO THE TEACHER OF THE RELATIONSHIP.

(2) THE LOCAL BOARD OF EDUCATION SHALL DETERMINE BY POLICY OR BY NEGOTIATED AGREEMENT, IF ONE EXISTS, THE EMPLOYMENT STATUS OF SCHOOL DISTRICT EMPLOYEES EMPLOYED BY THE CHARTER SCHOOL WHO SEEK TO RETURN TO EMPLOYMENT WITH PUBLIC SCHOOLS IN THE SCHOOL DISTRICT.

(3) EMPLOYEES OF A CHARTER SCHOOL SHALL BE MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION OR THE DENVER PUBLIC SCHOOLS RETIREMENT SYSTEM, WHICHEVER IS APPLICABLE. THE CHARTER SCHOOL AND THE TEACHER SHALL CONTRIBUTE THE APPROPRIATE RESPECTIVE AMOUNTS AS REQUIRED BY THE FUNDS OF SUCH ASSOCIATION OR SYSTEM.

22-30.5-112. Charter schools - financing - guidelines. (1) FOR PURPOSES OF THE "PUBLIC SCHOOL FINANCE ACT OF 1988", ARTICLE 53 OF THIS TITLE, PUPILS ENROLLED IN A CHARTER SCHOOL SHALL BE INCLUDED IN THE PUPIL ENROLLMENT OF THE DISTRICT WITHIN WHICH THE PUPIL RESIDES. THE SCHOOL DISTRICT OF RESIDENCE SHALL REPORT TO THE DEPARTMENT OF EDUCATION THE NUMBER OF PUPILS INCLUDED IN THE SCHOOL DISTRICT OF RESIDENCE'S PUPIL ENROLLMENT THAT ARE ACTUALLY ENROLLED IN EACH CHARTER SCHOOL.

(2) (a) AS PART OF THE CHARTER SCHOOL CONTRACT, THE CHARTER SCHOOL AND THE SCHOOL DISTRICT SHALL AGREE ON FUNDING AND ANY SERVICES TO BE PROVIDED BY THE SCHOOL DISTRICT TO THE CHARTER SCHOOL. THE CHARTER SCHOOL AND THE SCHOOL DISTRICT SHALL BEGIN DISCUSSIONS ON THE CONTRACT USING EIGHTY PERCENT OF THE DISTRICT PER PUPIL OPERATING REVENUES. AS USED IN THIS SUBSECTION (2), DISTRICT "PER PUPIL OPERATING REVENUES" SHALL HAVE THE SAME MEANING AS THAT PROVIDED IN SECTION 22-53-103.

(b) ALL SERVICES CENTRALLY OR OTHERWISE PROVIDED BY THE SCHOOL DISTRICT INCLUDING, BUT NOT LIMITED TO, FOOD SERVICES, CUSTODIAL SERVICES, MAINTENANCE, CURRICULUM, MEDIA SERVICES, LIBRARIES, AND WAREHOUSING SHALL BE SUBJECT TO NEGOTIATION BETWEEN A CHARTER SCHOOL AND THE SCHOOL DISTRICT AND PAID FOR OUT OF THE REVENUES NEGOTIATED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (2).

(c) IN NO EVENT SHALL THE AMOUNT OF FUNDING NEGOTIATED PURSUANT TO THIS SUBSECTION (2) BE LESS THAN EIGHTY PERCENT OF THE DISTRICT PER PUPIL OPERATING REVENUES MULTIPLIED BY THE NUMBER OF PUPILS ENROLLED IN THE CHARTER SCHOOL.

(d) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT FUNDING AND SERVICE AGREEMENTS PURSUANT TO THIS SUBSECTION (2) SHALL BE NEITHER A FINANCIAL INCENTIVE NOR A FINANCIAL DISINCENTIVE TO THE ESTABLISHMENT OF A CHARTER SCHOOL.

(e) FEES COLLECTED FROM STUDENTS ENROLLED AT A CHARTER SCHOOL SHALL BE RETAINED BY SUCH CHARTER SCHOOL.

(3) NOTWITHSTANDING SUBSECTION (2) OF THIS SECTION, THE PROPORTIONATE SHARE OF STATE AND FEDERAL RESOURCES GENERATED BY STUDENTS WITH DISABILITIES OR STAFF SERVING THEM SHALL BE DIRECTED TO CHARTER SCHOOLS ENROLLING SUCH STUDENTS BY THEIR SCHOOL DISTRICTS OR ADMINISTRATIVE UNITS. THE PROPORTIONATE SHARE OF MONEYS GENERATED UNDER OTHER FEDERAL OR STATE CATEGORICAL AID PROGRAMS SHALL BE DIRECTED TO CHARTER SCHOOLS SERVING STUDENTS ELIGIBLE FOR SUCH AID.

(4) THE GOVERNING BODY OF A CHARTER SCHOOL IS AUTHORIZED TO ACCEPT GIFTS, DONATIONS, OR GRANTS OF ANY KIND MADE TO THE CHARTER SCHOOL AND TO EXPEND OR USE SAID GIFTS, DONATIONS, OR GRANTS IN ACCORDANCE WITH THE CONDITIONS PRESCRIBED BY THE DONOR; HOWEVER, NO GIFT, DONATION, OR GRANT SHALL BE ACCEPTED BY THE GOVERNING BODY IF SUBJECT TO ANY CONDITION CONTRARY TO LAW OR CONTRARY TO THE TERMS OF THE CONTRACT BETWEEN THE CHARTER SCHOOL AND THE LOCAL BOARD OF EDUCATION.

(5) THE DEPARTMENT OF EDUCATION WILL PREPARE AN ANNUAL REPORT AND EVALUATION FOR THE GOVERNOR AND THE GENERAL ASSEMBLY ON THE SUCCESS OR FAILURE OF CHARTER SCHOOLS, THEIR RELATIONSHIP TO OTHER SCHOOL REFORM EFFORTS, AND SUGGESTED CHANGES IN STATE LAW NECESSARY TO STRENGTHEN OR CHANGE THE CHARTER SCHOOL PROGRAM.

(6) THE DEPARTMENT OF EDUCATION WILL PROVIDE TECHNICAL ASSISTANCE TO PERSONS AND GROUPS PREPARING OR REVISING CHARTER APPLICATIONS.

22-30.5-113. Charter schools - evaluation - report. (1) THE STATE BOARD SHALL COMPILE EVALUATIONS OF CHARTER SCHOOLS RECEIVED FROM LOCAL BOARDS OF EDUCATION. THE STATE BOARD SHALL REVIEW INFORMATION REGARDING THE REGULATIONS AND POLICIES FROM WHICH CHARTER SCHOOLS WERE RELEASED PURSUANT TO SECTION 22-30.5-105 TO DETERMINE IF THE RELEASES ASSISTED OR IMPEDED THE CHARTER SCHOOLS IN MEETING THEIR STATED GOALS AND OBJECTIVES.

(2) THE STATE BOARD SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY ON ITS FINDINGS NO LATER THAN JANUARY 1, 1997.

(3) IN PREPARING THE REPORT REQUIRED BY THIS SECTION, THE STATE BOARD SHALL COMPARE THE PERFORMANCE OF CHARTER SCHOOL PUPILS WITH THE PERFORMANCE OF ETHNICALLY AND ECONOMICALLY COMPARABLE GROUPS OF PUPILS IN OTHER PUBLIC SCHOOLS WHO ARE ENROLLED IN ACADEMICALLY COMPARABLE COURSES.

22-30.5-114. Repeal of article. THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 1998.

SECTION 2. 22-2-117 (4), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

22-2-117. Additional power - state board - waiver of

requirements - repeal. (4) This section is repealed, effective July 1, ~~1994~~ 1998.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Tom Norton
PRESIDENT OF
THE SENATE

Charles E. Berry
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan M. Albi
SECRETARY OF
THE SENATE

Lee C. Babrych
asst CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED June 3, 1993 at 1:43 P.M.

Roy Romer
GOVERNOR OF THE STATE OF COLORADO

Organizations and Resource Persons

CDE Charter School Team
201 East Colfax Avenue
Denver, CO 80203
303/866-6631
Bill Windler, Judy Burnes, and Myron Swize, team leaders

Colorado Children's Campaign
1600 Sherman Street, Suite B300
Denver, CO 80203
303/839-1580
Barbara O'Brien, Exec. Director

Colorado Education and Library Directory
Published by CDE. Available in public schools and district office and public libraries. It lists all Colorado public schools, school districts, and libraries, and includes a long list of educational organizations. It may be purchased at CDE, Communications Office, 303/866-6646.

Colorado Department of Education
School Model Programs Database
This is an online computer database describing innovative and effective programs in Colorado and providing contact names and numbers. It can be accessed anywhere in Colorado through the CARL system. Call the CDE Resource Center for more information at 303/866-6617.

Colorado Commission on Indian Affairs
Office of Lt. Governor
State Capital, Rm 130
Denver, CO 80203
303/866-3027

Colorado Department of Social Services
Child Care Services
1575 Sherman St.
Denver, CO 80203
303/866-3628
Information on requirements for programs for children under six. Preschool programs are not supported under the Charter Schools Act.

Colorado Options in Education
98 North Wadsworth, #127
Box 191
Lakewood, CO 80226
303/273-6694 (H)
303/273-6694 (W)
Doug Jenner, President

Independence Institute
14142 Denver West Parkway, #101
Golden, CO 80401
303/279-6536
Carolyn DeRaad

Latin American Research and Service Agency (LARASA)
899 Logan Street, Suite 400
Denver, CO 80203
303/839-8300
Maria Guajardo, Exec. Director

Student Selection Process
Talk to districts or schools already doing student selection. For example: Paddock Elementary, Boulder Valley; Expeditionary School; Dennison Fundamental, Jefferson County; Cole School for the Performing Arts, Denver; etc.

Charles Beck
Education Diffusion Group and National Diffusion Network (NDN)
3607 Martin Luther King Blvd.
Denver, CO 80205
303/322-9323
Federal project to disseminate information in Colorado on effective programs nationwide. Also host of COCIS—the Colorado Career Information System.

Doug May
740 Pearl St., #203
Denver, CO 80203
303/860-1480
Doug is compiling resource lists on computer of persons interested in charter schools and potential sources of help and ideas. Call him and get your charter group on his list.

Readers of this information packet are invited to suggest additions and corrections to this resources list. Please call: Jim Hennes, CDE, 303/866-6842.

Site Considerations

a) Talk with your community's planning and zoning department and your local fire marshall.
b) Talk with the facilities director in your school district.
c) State building requirements can be discussed with the Department of Labor, Wayne Horn, Public Safety Section, 1120 Lincoln St., Ste 1305, Denver, CO 80216, 303/894-7538.

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Colorado Charter Schools

September 1993

1. **The Connect School**
   Pueblo County School District 70
   24951 East Highway 50
   Pueblo, CO 81006
   719/542-0224
   Contact: John & Judy Mikulas

   Governing Body:
   Ann McDonald
   Board of Education President

   The Connect School is a middle school-without-walls that utilizes multiple community resources for learning, such as museums, parks, libraries, computer labs, mountain experiences, etc.

2. **Academy Charter School**
   Douglas County School District
   c/o 5690 East Tabor Drive
   Castle Rock, CO 80104
   303/688-6160
   Contact: Sue Mantz

   Governing Body:
   Melinda Windler, President
   303/688-8617

   The Academy Charter School is an elementary school that will emphasize high academic standards based on the core knowledge curriculum. The school will be operated by a unique governance structure consisting of elected parents.

Bibliography on Charter Schools

Prepared by Christine Hamilton-Pennell and Lynda Welborn
September 1993

Amsler, Mary. "Charter Schools," Far West Laboratory Policy Briefs. No. 19, 1992.

This Policy Brief looks at the development of the charter schools idea; examines the Minnesota model; explores policy concerns related to the development and implementation of charter schools; and reviews the progress at state and federal levels in the development of charter schools.

Astrup, Robert E. "Charter Schools: A Dissenting Voice." Education Week 12, September 23, 1992, p. 29.

The president of the Minnesota Education Association believes that charter schools are bad public policy. He believes they drain state resources, duplicate innovative efforts already underway, and do not have adequate accountability mechanisms.

Billingsley, Kenneth Lloyd. "California's Charter Schools: Empowering Parents, Students, and Teachers." Pacific Research Institute for Public Policy Briefing. San Francisco: The Institute, 1993.

Describes the first three months of California's chartering process. The writing of charters has many technical and political obstacles but offers much hope for a "truly liberated educational environment." Compares charter schools to Great Britain's "grant maintained" schools. Outlines the need for charter schools; the essentials of a charter school under California's law; and the experiences of several California petitioners who have been successful in obtaining a charter.

Bingham, Janet. "Charter Schools Blossom: Education to Break Out of Old Molds." Denver Post July 4, 1993, p. 1C.

Discusses the development of the first crop of charter schools proposed under Colorado's Charter Schools Act, describes the legislation, and suggests its possible leverage effect on local school boards.

Blackmon, Marilyn and David S. D'Evelyn. "Charter Schools: Colorado's Mandate for Change," Independence Issue Paper no. 11-93, April, 1993.

A parent and an educator discuss the merits of charter schools. Blackmon, a Boulder parent, focuses on the advantages of magnet programs in improving education. These include increased choice for parents; equity in terms of access and respect for diversity; explicit performance goals; increased community and parent support; reduction in dropouts; improvement in teaching; higher standards and achievement for all; and strong leadership. D'Evelyn discusses what charter schools are--and aren't. He lists nine arguments for charter schools, and debunks the myths about them. He argues strongly that charter schools are the most effective approach available for the long-range restructuring of public education.

Bibliography on Charter Schools, continued

Budde, Ray. "Education by Charter." Phi Delta Kappan. 70:7, March 1989, p. 518-20.

The life cycle of an educational charter including generating ideas, planning the charter, preparing for teaching under the charter, teaching, and monitoring and evaluating the program is described. The following goals are discussed:
1) The roles of teachers and administrators are redefined;
2) The operation of school boards changes;
3) A continuing cycle of curriculum improvement and renewal is set in motion;
4) All parties face the challenge of identifying the knowledge base for the entire school curriculum.

Budde, Ray. Education by Charter: Restructuring School Districts: Key to Long-Term Continuing Improvement in American Education. Andover, MA: The Regional Laboratory for Educational Improvement of the Northeast and Islands, 1988.

Education by Charter is offered as one model for restructuring the local school district. This document is one of the first major works about charter schools and is often cited. "Hometown Public Schools" is tracked over a ten-year period during which the charter school concept is introduced and implemented.

California Department of Education, Regional Programs and Special Projects Division. Charter Schools Information [packet]. June, 1993.

Information packet of materials about California's charter schools law and charter school proposals. Includes a copy of the Charter Schools Act of 1992, short descriptions of the charter schools that have been assigned numbers for the California State Board of Education, and background information and other explanatory materials about the charter schools concept.

Cyr, Tom. "Current Standings of Charter School Legislation in Minnesota, California and Pennsylvania." Paper prepared for the Colorado Department of Education, June 9, 1993.

An outline of the status of charter schools in the three most active states with contact people and their comments.

Dianda, Marcella R. and Ronald G. Corwin. An Early Look at Charter Schools in California. Los Alamitos, Southwest Regional Laboratory, 1993.

This paper provides an initial look at California's first charter schools based on a review of the literature on organizational innovation; informal visits to charter petitioners; conversations with individuals in the legislature, the state department of education, and educational interest groups, and an analysis of the charters of California's first 10 charter schools. [from the authors' abstract]

Hall, Nancy J. and Jenner, Douglas. Everything You Always Wanted to Know About Starting a Public Alternative School. Lakewood, CO: Colorado Options in Education, 1987.

A guide for parents, citizens, teachers and administrators on how to start a public alternative school written by two Colorado alternative educators. Short chapters discuss types of alternatives, timelines, involvement, site and proposals. This 66 page book is available for $7 from Colorado Options (see organization list).

Bibliography on Charter Schools, continued

Kaufman, Wendy, Reporter. "California Schools Try New Concept in Education," transcript of July 26, 1993 report on Morning Edition, National Public Radio.

Kaufman explains the concept of charter schools, then interviews several California educators who are involved in their development, including Sen. Gary K. Hart, author of the California Charter Schools Bill, school board officials, teachers, and principals.

Kolderie, Ted. "The Charter Schools Idea." Public Services Redesign Project-Center for Policy Studies, 59 West Fourth Street, St. Paul, MN 55102. June 19, 1992.

The Minnesota "guru" of the charter school movement answers questions about charter schools including who can run a charter school; what are the legal requirements for the school; how will the school be accountable; employment and financial practices; acquiring space and services such as transportation and insurance.

Mills, Karen. "Graduation Day at Model School." The Associated Press, June 1, 1993, AM cycle.

Focuses on City Academy in St. Paul, the first chartered school under Minnesota's law. The Academy takes kids who have not been successful elsewhere. Mills interviews a graduate of the first class of 10, all of whom are going on to post-secondary options.

Olson, Lynn. "A Matter of Choice: Minn. Puts 'Charter Schools' Idea Test." Education Week 12:12, November 25, 1992, p. 1,10-11.

Discusses the development of the charter schools concept in Minnesota; outlines the legislation authorizing their development; and details the roadblocks and disincentives within the system to its implementation. Describes the first approved charter school, City Academy in St. Paul, a small alternative high school with 30 students.

Olson, Lynn. "New Approaches Blurring the Line Between Public and Private Schools." Education Week 12:5, October 7, 1992, p. 1,18-20.

Explores the range of options for school reform that rely on use of market forces and competition, including vouchers, private school choice, corporate design of schools, and charter schools.

Phi Delta Kappa. The Alternative School Choice. Bloomington, IN: PDK Center on Evaluation, Development and Research, Hot Topic Series, 1981.

This publication is a compilation and reprinting of 32 research-based articles and professional opinion from a variety of sources on alternative schooling. It covers characteristics, descriptions, roles, evaluations and the future of alternatives.

Phi Delta Kappa. Restructuring Through Curriculum Innovation. Bloomington, IN: PDK, Exemplary Practices Series, 1993.

This publication describes 22 schools or programs that have achieved "restructuring" through bold new curriculum directions. These programs were developed as specific responses to student needs and abilities as well as community and teacher expectations. All emphasize voluntary association, small size, distinctive mission, staff autonomy, and holistic rather than remedial approaches to learning.

Richardson, Valerie. "NEA Approves Charter Schools - On Its Terms." The Washington Times July 6, 1993, p. A3.

Reports on the decision by the National Education Association at its annual convention to approve the concept of charter schools, albeit reluctantly. NEA wants to have some say in how the concept is defined and implemented.

"Three More States Approve Charter Schools." Business/Education Insider 30, June 1993, p. 2.

Discusses the features of charter school legislation recently passed in Colorado, Georgia, and New Mexico.

Bibliography on Charter Schools, continued

Walters, Laurel Shaper. "Charter Schools Offer Another Choice." Christian Science Monitor June 8, 1993, Learning Section, p. 11.

Reports on the move by Colorado, as well as several other states, to pass charter school laws, and looks at the experience of the Minnesota charter schools movement.

Waldman, Steve. "Charter Schools: Supporters Design Diverse Formats for Effective Education." Up the Creek. Vol. XIX: No. 37, August 13- August 19, 1993.

This article discusses the charter school concept in Colorado and outlines several charter school proposals which are being developed. Schools discussed include the Connect School, the state's first charter school approved by a rural district outside Pueblo, the Academy Charter School proposed in Douglas County, and a Westminster middle school focusing on Latin and the classics. In Jefferson County several charter schools are proposed, including a school based on a humanistic, health-oriented approach to education with the primary emphasis on personal development, and a school modeled after the highly academic International Baccalaureate Program. An application to be presented to the Denver School Board will be based on a shift back to basic education. Another Denver charter school is being discussed as part of Lower Downtown's renovation which will use the city's cultural resources. The Colorado Children's Campaign is helping interested groups through the application process.

Williams, Scott and Mark Buechler. "Strategic Investment: Touch Choices for America's Future." In Brief. National Governor's Association, April 16, 1993.

Recent legislation in Minnesota and California are highlighted and a brief overview of the issues involved in the establishment of charter schools as a strategy for improving public schools is given. The charter school option withdraws the district's exclusive franchise without allowing taxpayer dollars to flow to unregulated private and parochial schools. Differences between the Minnesota and California charter school legislation are explained.

Wohlstetter, Priscilla and Lesley Anderson. "What Can U.S. Charter Schools Learn from England's Grant-Maintained Schools." ERIC Document. New Brunswick, NJ: Consortium for Policy Research in Education. April, 1992.

In his America 2000 Education Strategy, President Bush proposed the establishment of a new generation of public schools — charter schools— as part of a long-term plan to achieve the six national education goals. As envisioned by the president, states will contract directly with "America 2000 Communities," conceived in the strategy as any group of people who can demonstrate a commitment to operate a school. Charter schools also have emerged on state policy agendas, and the nation's first charter school, a Montessori school in rural Minnesota, has been approved. In contract, England's charter schools, known as grant-maintained schools, already have some history; so far 219 schools at all levels have opted out of the local authority since 1988. This paper highlights what has been learned about charter schools from England's experience over the past three years. Offered first is an overview of the charter school concept and how charter schools work in practice. Provided are specific lessons for policy makers and practitioners about strategies for success (i.e. conditions and types of support that are needed) and about some of the challenges that face charter schools in the 1990's. [ERIC abstract]

Colorado Education Goals

Mission of the State Board

The mission of the State Board of Education is to promote attainment of the State Board of Education goals for Colorado public education. Working with all Colorado citizens, the State Board of Education is dedicated to:

- Encouraging students to attain their highest social and academic potential;
- Promoting and enabling variability in methods of reaching the goals;
- Establishing rules that will enable and promote the effective restructuring of schools;
- Closing the gaps between policy, research, and practice;
- Improving the quality of education for teachers, administrators, and librarians; and
- Enhancing lifelong learning through access to information, quality libraries and adult literacy services.

State Board Goals for Colorado Education

Graduation Rate

Goals

- Colorado's statewide public school graduation rate will increase by two percent annually from the 1987 rate of 76 percent until it reaches at least 90 percent by July 1, 1995.
- (K-3) All Colorado schools will have established procedures in grades K-3 to identify potential at-risk students and provide them with successful learning experiences upon identification.
- (4-12) All Colorado schools will have educational programs in place that adequately prepare all students to enter and succeed in their next level of enrollment. These programs will provide students with appropriate skills and will ensure their continuous progress toward graduation from high school.

Priority Objectives

- Those racial/ethnic and gender groups with currently low graduation rates have demonstrated proportionately greater increase in graduation rates each year until equity is achieved.
- Every school district in Colorado has educational alternatives available to assist all students to progress toward graduation by July 1, 1990.
- All Colorado at-risk preschool children are enrolled in quality early childhood learning programs by July 1, 1992.

Definition: Graduation rate is the percentage of students who receive a diploma in relation to those entering grade nine, adjusted to accommodate transfers.

Attendance Rate

Goals

- Colorado's public school attendance rate will improve from the 1981-87 average rate of 92 percent to 95 percent by July 1, 1995.

Priority Objectives

- Each year, all Colorado school districts certify their attendance rates as part of the annual reporting cycle to the state.
- School districts certifying an attendance rate below 95 percent have a process to improve attendance in their annual plans.

Definition: Student attendance is when a student is present where assigned and is engaged in the district's educational process.

Student Achievement

Goals

- Colorado's public school system will have demonstrated continuous, measurable and significant gains in educational achievement for all student groups by July 1, 1995.
- By July 1, 1991, Colorado's school districts will have defined their expected student proficiencies at designated grade levels, and will have implemented a program of measurement and reporting.
- By July 1, 1995, all Colorado high school graduates will receive a diploma certifying that they possess the skills deemed by the local board of education to be necessary for entry to the work place and post-secondary education.

Priority Objectives

- Between 1989 and 1995, all Colorado school districts have increased the percentage of students successfully attaining educational outcomes as defined by their district's plan for student achievement.
- Between 1989 and 1995, all Colorado high schools have continually increased the percentage of students completing advanced classes from racial/ethnic and gender groups not traditionally represented.
- The scores of all student groups in the statewide assessment sample have increased by five percentile points by July 1, 1995.
- Any performance discrepancy in the statewide assessment sample among racial/ethnic and gender and other minority student groups has been reduced with each successive assessment until equity is achieved.

Definition: Student achievement is an expected or anticipated knowledge, skill, attitude or behavior resulting from a planned instructional program, the attainment of which can be demonstrated through discernible or measurable outcomes.

Adopted December 1988